

*The Solicitors' Journal*, 2nd July, 1932.

PRICE ONE SHILLING.

# The Solicitors' Journal

---

VOLUME LXXVI—(Part I)

1932

JANUARY to JUNE.

---

LONDON :

PUBLISHED AT THE OFFICES OF THE SOLICITORS' JOURNAL,  
29 BREAMS BUILDINGS, E.C.4.

---

1932.

STATE OF OHIO  
TREASURY

CU

Alle  
Anc  
Anc  
Arr

Ber  
Ber  
Bir  
Blo  
Bot  
Bri  
Buc  
Bus

Car  
Car  
Chi  
Cle  
Col

Con  
Cot  
Cot  
Cris  
Cro

Da  
De  
De  
De  
De

De  
De  
Di  
Do  
Dr

Es  
El  
Es  
Es  
Es  
Es  
Es  
Es

Es  
Ga  
Ga  
Ga  
Ga  
Ga

Ha  
Ha  
Ha  
Ha

Ha  
Ha  
Ha  
Ha

In  
In  
In  
In  
In  
In

In  
In  
In  
In

J  
J  
J  
J

L  
L  
L  
L

## GENERAL INDEX.

### CURRENT TOPICS.

Alleged Dismissal of Witness, 36.  
Ambit of Statutes, 386.  
Another Housing Act Injustice, 257.  
Arrests by Private Persons, 333.  
Bentham Committee, 173.  
Bentham, Jeremy, 385.  
Birthday Honours, 401.  
Blood Grouping and Paternity, 154.  
Bottle Parties, 438.  
Bribery, 278.  
Budget, The, 277.  
Business Names, 237.  
Careful Father, 314.  
Carrying Goods in Private Cars, 294.  
Child and the Dog in the Car, 334.  
Clearance Order, 257.  
Comment *Pendente Lite* in Consistory Court, 133.  
Consent to an Operation, 438.  
Continuance of Injury or Damage, 437.  
Crime and Punishment in 1930, 258.  
Crown's Protection, 350.  
Dangerous Beans, 190.  
Dean of Faculty, 72.  
Debt Difficulties, 54.  
Deduction of Property Tax under Schedule A, 333.  
Defective Draftsmanship, 221.  
Destructive Maliciousness, 134.  
Directors and Stamp Duty, 350.  
Dominion Status, 117.  
Dress Pirates, 117.  
Easter Term, 237.  
Electric Comb Case, 54.  
Enforcement of Divorce Court Orders, 401.  
Enticement Case, 53.  
Escaping Motor Bandits, 349.  
Eustoppel by Conduct, 422.  
Euphemism by Act of Parliament, 238.  
Expression of Views by Bench, 2.  
Game Laws Amendment, 222.  
Goethe as Lawyer, 205.  
Golfers' Negligence, 294.  
Goods Carried in Private Motor Cars, 422.  
Gramophones in Court, 293.  
Great Legal Families, 205.  
Half-Commission Man, 277.  
Headnotes, 365.  
Hearts of Oak Case, 206.  
Highways Constructed by Rural District Councils, 118.  
His Precedence and Privileges, 72.  
Hoaxing the Police, 365.  
Honouring "Per pro" Cheques, 174.  
House as a Danger to Neighbour, 234.  
In Good King Charles' Golden Days, 55.  
Income Tax and Charitable Purposes, 365.  
Income Tax and Crime, 258.  
Innocent Publication, 222.  
Insuring Pond Against Fire, 117.  
Investment Trust Company and the Fall in Railway Stocks, 17.  
Irish Sweepstake, 190.  
"Jay-Walking" a Criminal Negligence, 85.  
Judges and Knighthood, 293.  
Judge's Legal Position, 35.  
Judicial Changes, 205.  
Juries and New Trials, 101.  
Late Lord Brentford, 402.  
Law Officers and the Privy Council, 17.  
Law Society, 85.  
Legal Biography, 314.

Lever Case, 35.  
Licence for Armorial Bearings, 439.  
Maintenance Orders and Income Tax, 54.  
Meaning of "Sickness," 421.  
Means Test for Council Houses? 439.  
Microphone in Court, 35.  
Mining Industry Outlook, 190.  
Mr. Justice Holmes' Successor, 189.  
Mr. Justice Oliver Wendell Holmes, 53.  
Mutual Mistake, 36.  
Nation Compounds a Felony, 190.  
New Judge, 133, 221, 257.  
New King's Counsel, 153.  
New Law Officers, 71.  
New Laws, 1.  
New Procedure Rules, 313.  
New Regulations, 1.  
New Year Honours List, 17.  
Next Year's Income Tax, 134.  
Noise at Night, 174.  
No Retainer against the Crown, 238.  
Non-Criminal Courts for Motoring Offences, 134.  
Non-Statutory Adoption of Children, 278.  
Nuisance by Noise, 86.  
"O, be some other Name," 101.  
Oral Evidence in the Court of Appeal, 278.  
Order of Endorsements on a Bill, 401.  
Osteopaths and the Medical Act, 349.  
Overhead Electric Lines, 18.  
Pamphlets from the Air, 438.  
Patient's Refusal to Operation, 237.  
Pedestrians and Motor Traffic, 386.  
Photographs of Convicts at Dartmoor, 314.  
Picturesque Ceremony, 173.  
"Prams," 101.  
Procedure in Court, 153.  
Property in the Air, 86.  
Pulling their Weight, 174.  
Punishment for Bigamy, 334.  
Quatercentenary of the Court of Session, 366.  
Quick and the Dead, 173.  
Rain-Soaked Timber, 154.  
Reasonable Care and Motor Car, 71.  
Re-Insurance Contract, 439.  
Report on Ministers' Powers, 333.  
Reserved Judgment of Paris, 102.  
Retirement of Mr. Justice Rowlatt, 221.  
Rewards to Tax Informers, 134.  
Rights and Influence, 206.  
Rights of the Non-qualified to Practise, 86.  
Rights of Time-expired Convict, 221.  
Russian Banks and English Courts, 72.  
Rye Council Awry, 438.  
Scandalising Justices and Local Authorities, 85.  
Scottish Jury in Criminal Cases, 133.  
Scénances and Subtle Devices, 151.  
Sentences on Shoplifters, 53.  
Shorthand Transcripts, 349.  
Singing "Shop Assistants," 238.  
Sir William Jowitt, 71.  
Slaughter of Animals, 222.  
Solicitors and the Bench, 437.  
Solicitors in the Cabinet, 421.  
Solicitors' Undertakings in County Courts, 153.  
Spare the Rod, 385.  
Stamp Duty on Deeds Securing Periodical Payments, 385.  
State of the Lists, 277.  
Statutory Lapse, 293.  
Steel Traps, Use of, 422.

Suicide while not of Sound Mind, 313.  
Taking Silk—A New Profession? 189.  
Third Party Insurance Again, 402.  
"This is a Theatre," 55.  
T.U.C. and Cheap Litigation, 421.  
Trespassing Playthings, 366.  
Tribute to Great Solicitor, 1.  
Trinity Law Sitings, 365.  
Unusual Condition, 334.  
Validity of Hop Marketing Scheme, 402.  
Widows Left Penniless, 258.  
Winding up a Dissolved Company, 189.  
Workmen's Compensation Claims, 102.  
Zeal of Home Office, 2.

### LEADING ARTICLES.

Abolition of the Legislative Council of New South Wales, 443.  
Accumulation of Income for Charitable Purposes, 37.  
Agricultural Tenant's Right to Compensation, 225.  
"Anomalies" Regulations, The, 22.  
Auctioneer's Memorandum, 444.  
Banker's Obligation of Secrecy, 120.  
Bar Council's Annual Statement, 41.  
Bills of Exchange Act, 1882—Omissions Filled up by Drawer under Section 20, 295.  
Boundary Presumptions, 318.  
Cinematograph Censorship, 177.  
Clearance Order—First Opposition Application, 263.  
Company Law Reform, 316.  
Compensation to Landowners in Respect of Wayleaves for Electric Lines, 103.  
Conditional Payment before Contract, 3.  
Connivance by a Limited Company, 425.  
Costs, 193.  
Costs—Allowances for Witnesses, 336.  
Costs—Instructions for Brief, 281.  
Costs of Commercial Arbitrations, 424.  
Decisions and Notes on L.P.A., 1925, 1st Schedule, Part IV, and Consequential Statutory Trusts, 239, 260, 280.  
Deduction of Tax from Rent, 20.  
Disadvantage of Similar Names, 40.  
Discovery in Proceedings under Solicitors Acts, 158.  
Dismissal of Domestic Servants, 87.  
England and the Irish Free State—A Constitutional Problem, 261.  
Finance Act, 1922, Some Practical Observations on the Effect of Section 20 of the, 367, 425.  
Finance Act, 1932, 447.  
Fishing out of Season, 388.  
Four Blood Groups in Evidence, 138.  
Free State Court Costs, 42.  
Future of the Rent Restrictions Acts, 192, 207, 223, 238.  
Guest's Guest at an Inn, 103.  
Highway Landslips, 157.  
Hire-Purchase Finance and the Companies Act, 1929, 210.  
Incidence of Customs and Excise Duty, 156.  
Incompetence to Swear, 155.  
Insurance—Misstatements in Proposal Forms, 38.  
Insurance—Some Recent Cases, 441.

Land and Estate Topics, 194, 297, 369, 453.  
Land Registry Annual Report, 369.  
Law of Pure Accident, 121.  
Legal Maxims—*Cujus est solum, ejus est usque ad eolum*, 448.  
Legal Maxims—"Res Ipsa Loquitur," 175.  
Legal Maxims—*Sic utere tui ut alienum non laedas*, 315.  
Legal Maxims—*Verba accipiuntur fortius contra proferentem*, 282.  
Legal Maxims—*Volenti non fit Injuria*, 385.  
Legality of Traffic Signals, 58.  
Lessee to Landlord's Ejectment Pleading Possession, 73.  
Liability for Acts done under Statutory Authority, 446.  
Licensing Commission Report, 42.  
Light—Collective Responsibility of Servient Owners, 299.  
Majority Verdicts, 74.  
Marginal Notes to Statutes, 57.  
Negligence in Preparation of Proprietary Articles, 387.  
Northern Ireland as part of the United Kingdom, 317.  
Novel Extradition, 21.  
On Hikers and Gates, 209.  
Police Evidence in Running-down Cases, 423.  
Poor Man's Lawyer's Evening, 176.  
Poor Persons Procedure, 440.  
Premature Claim to Goodwill Compensation, 40.  
Pressure on a Money Demand, 21.  
Prosecutions and the Compounding of Penalties under Section 9 (1) (a) of the Stamp Act, 1891, and Section 35 of the Inland Revenue Regulation Act, 1890, 241.  
Public Policy in its Application to Statute Law, 118.  
Public Trustee's Report, 403.  
Reconstructed Buildings and Ancient Lights, 423.  
Recovery of Costs, 447.  
Redundant Insurance, 58.  
Renewal of Loan, 105.  
Rent Acts and Furnished Sub-Tenancies, 388.  
Rent Restriction Acts—Bankruptcy and Intestacy, 353.  
Report of Committee on Ministers' Powers, 351.  
Reports of Judicial Proceedings, 57.  
Review of County Districts and Economy, 2.  
Revocation of Acceptance in Contract, 87.  
Rights of Way over Registered Land, 135.  
Road Accidents and Lord Dancesfort's Bill, 445.  
Rule of *Falsa Demonstratio*, 368.  
"Solicitor and Client" Costs, 137.  
Solicitors' Bill, 405.  
Statutes of the Pre-Union Parliament of Ireland, 19.  
Stolen Cheques and Branch Banks, 280.  
System, 88.  
Trade Secrets Innocently Acquired, 403.  
Unauthorised Letter Carrying, 259.  
Water, Gas and Electricity Charges and Receivers, etc., 56.  
Workmen's Compensation Act—Declaration of Liability or Award for Nominal Sum, 104.

**COMPANY LAW AND PRACTICE.**  
Accounts, 122, 139, 159, 178, 195, 211, 226.  
Applications to Court in a Voluntary Winding Up, 426.  
Appointment of a Receiver, 406.  
"B" Contributories, 242, 264.  
Bankruptcy Rules and Winding Up, 89.  
*Lona Vacantia*, 299.

Concurrent Jurisdiction, 318.  
Costs of Winding Up Petition, 75.  
Declaration of Solvency, 337.  
Disclaimer by Liquidator, 59.  
Floating Charges and Winding Up, 105.  
Increase of Capital, 283.  
Inspection, (i), (ii), (iii), 4, 23, 43.  
Proof of Debts in Winding Up, 370, 389.  
Reduction of Capital, 353.  
Surplus Assets in Winding Up, 449.

### CRIMINAL LAW AND PRACTICE.

Birch and the Cat, 239.  
Calling Fresh Evidence on Appeal, 18.  
Compensation for Damage by Riot, 315.  
Contempt of Court—Comments Prejudicial to Fair Trial of Person Accused of Crime, 351.  
Fact or Law? 55.  
False Statements in Declarations under Unemployment Insurance Act, 386.  
Finger Prints and Crime, 259.  
Football Pools, 279.  
Grand Juries, 18.  
Habitual Criminals and Previous Convictions, 191.  
Habitual Offender, 423.  
Larceny by Bailees, 135.  
Limits of Criminal Responsibility in Common Enterprise, 207.  
Maintenance Orders (Facilities for Enforcement) Act, 1920: Husband Returning to England, 239.  
Motor Offences Overlooked, 175.  
Not Disclosing Defence, 440.  
Peremptory Challenge of Jurors, 102.  
Perjury, 386.  
Poachers and Motor Cars, 55.  
Prescription in French Law, 175.  
Presumption of Legitimacy and its Reversal, 155.  
Proof of Subordinate Legislation, 295.  
Re-hearing a Bastardy Case, 335.  
Summons for Careless Driving, 259.  
Third Party Insurance and Pillion Riders, 315.  
Trade Description of Medicine, 295.

### CONVEYANCER'S DIARY.

Abatement of Annuities and Pecuniary Legacies, 300.  
Advertisements for Claimants by Trustees or Personal Representatives, 354.  
Breaking Settlements, 76, 90.  
*Casus Omissus*? 179.  
Conveyance to Trustees of Debenture Trust Deed, 123.  
Discharge of Incumbrances on Undivided Shares, 212.  
Easements Passing under L.P.A., 1925, s. 62, 24.  
Enquiries by a Purchaser before Contract, 265.  
Execution of Deeds by Companies—Assumption of Validity, 160.  
General or Special Power of Appointment: 4.  
Grants of Rent Charges—Words of Limitation, 5.  
Infant's Property, 227.  
Insurance of Mortgaged Property by Mortgagees—Rights of Mortgagees, 390.  
Insurances on Mortgaged Property, 407, 450.  
Law of Property (Entailed Interests) (No. 2) Bill, 319, 338.

Meaning of "Grandchildren," 212.  
Mortgages Repayable by Instalments—Statutory Powers, 427.  
Point on Puisse Mortgages and their Priorities, 140.  
Point on Undivided Shares, 355.  
Power of Appointment by Joint Will, 160.  
Power of Appointment Created by Will—Objects Pre-deceasing Testator, 179.  
Power of Tenant for Life to accept Surrender and grant New Leases subject to existing Underleases, 371.  
Puisse Mortgages—Priorities, 450.  
Registered Land—Trusts and Restrictions, 243.  
Settlement reserving power to Settlor over Capital and Income—Incidence of Estate and Succession Duties, 284.  
Strange Case—and a Caution, 428.  
Undivided Shares, 243.  
Undivided Shares again, 196.  
Undivided Shares—Devise by Will—Confirmation by Codicil, 212.  
Validity of Non-Charitable Trusts for Upkeep of Tomb or Monument, 43, 60.  
Vesting Deeds—Additional Powers, 106, 160.

### LANDLORD AND TENANT NOTE-BOOK.

Arbitration as to Rent of Agricultural Holding, 451.  
Assignments and Restraint of Trade, 124.  
Conduct Evidencing a Tenancy, 321.  
Construction of Covenant to Insure, 107.  
Covenants Restricting User of Shops, 301.  
Damages for Failure to Deliver Up, 266.  
Damages for Failure to Repair Controlled Premises, 356.  
Ex-Assignees, Ex-Under-Tenants and Dilapidations, 77.  
Fruit Trees, 285.  
Implied Surrender of Part, 161.  
Insurance and Subrogation, 339.  
Landlord and Telephone, 61, 161.  
Liability for Abatement of Nuisance, 197.  
Liability for Tithes, 180.  
Local Authorities as Landlords, 391.  
Not to Permit or Suffer, 266.  
Options and New Leases, 227.  
Rent Issues out of the Land, 244.  
Right of Support, 213.  
Right to Sub-Let, 44.  
Surrender of Controlled Tenancy, 91.  
Technicalities of Relief against Forfeiture, 25.  
Tenancies, Contracts of Service and Police Quarters, 5.  
Tenant or Lodger, 429.  
Theatre Tenancies: Suspending Rent, 408.  
Third Party Procedure, 372.  
Varying the Rent, 141.

### COUNTY COURT LETTER.

Agricultural Holdings Act—An Interesting Decision, 392.  
Agricultural Holdings Act, 1923, 430.  
Architect's Copyright in Plans, 6.  
Children and Motor Accidents, 228.  
Choice of District for County Court Summonses, 142.  
Company's Liability for "Holding-out," 61.  
Contracts *Uberrima Fidei*, 323.  
Costs of Shorthand Transcript, 373.  
Costs under the Landlord and Tenant Act, 1927, 340.  
Damage from Overflow of Cistern, 6.  
Definition of a "1931 Model" Motor Car, 409.  
Dismissal of Domestic Servants, 181.

Dominant User of Dwelling-House, 267.  
Duration of Telephone Contracts, 245.  
Enforceability of Printed Contracts, 62, 125, 302, 373.  
Estate Agents' Commission, 285, 392.  
Footballers and Workmen's Compensation, 77.  
Gamekeepers and Dogs, 228.  
Injuries to Out-door Spectators, 267.  
Liabilities of Hairdressers, 162.  
Liability for Damage by Foxhounds, 142.  
Liability for Workman's Eye Injury, 213.  
Liability under Motor Insurance Policies, 25.  
Life Assurance of Doctors, 340.  
Maintenance of Racing Greyhounds, 25.  
Mortgagor's Right of Redemption, 91.  
Motor Cars Left for Repairs, 356.  
Motorist's Liability to Passengers, 91.  
Multiple Shop Manager's Length of Notice, 197.  
Navigation Warning as Act of Salvage, 452.  
Nursing of Sick Boarders, 430.  
Precautions for Yachtsmen, 303.  
Qualifications for Workmen's Compensation—  
(a) Air-pilots, 45.  
(b) Temporary Postmen, 45.  
(c) Seamen, 45.  
(d) Servant's Injury in Bath, 161.  
(e) Awards for Successive Accidents, 161.  
Rating of Houseboats, 214.  
Reception of Chattels, 6.  
Remuneration of Dentists, 141.  
Remuneration of Doctors, 340.  
Rent Restrictions Acts—Rateable Value, 108.  
Responsibilities of Comedians, 45.  
Responsibilities of Garage Proprietors, 180, 267.  
Responsibilities of Press Photographers, 77.  
Rights and Liabilities of Dairy Farmers, 245, 452.  
Rights and Liabilities of Dance Bandsmen, 340.  
Scope of the Doctrine of Duress, 356.  
Severability of Restrictive Covenants, 302.  
Shooting a Dog Pursuing Game, 323.  
Solicitors' Rights and Liabilities, 124.  
Unreasonable Deviation from Contract Voyage, 409.  
Validity of Flower Show Awards, 197.  
Warranties on the Sale of Houses, 373.  
When Game may be Protected, 357.

## PRACTICE NOTES.

Laundry Expenses of Farm Workers, 108.  
Miner's Liability for Checkweigh Levy, 108.  
New Rules, 7.  
New Supreme Court Rules, 181.  
Right of Trustees of Settled Land, 108.  
Supreme Court, England—Procedure, 321.

## OBITUARY.

Aaron, Mr. N. H., 430.  
Alston, Mr. G. R., 28.  
Archibald, Mr. Justice, 67.  
Askew, Mr. D. H. W., 184.  
Aspinall, Mr. J. B., 453.  
Atkinson, Lord, 198.  
Attenborough, Mr. W. A., 430.  
Barnard, Mr. G. W. G., 162.  
Bassett, Mr. G. F., 323.  
Beloe, Mr. E. M., 126.  
Berry, Mr. T. W. S., 453.  
Black, Mr. C. W., 97.  
Bobbett, Mr. L. A., 412.  
Booth, Mr. W. E., 198.  
Brentford, Lord, 412.  
Bubb, Mr. W. N., 146.  
Buchanan, Mr. W., 80.  
Burnett, Mr. J. R., 412.

Candler, Mr. W. H., 396.  
Catterall, Mr. Thomas, 28.  
Chalker, Mr. H., 245.  
Chitty, Sir Charles, 216.  
Cohen, Mr. H., 184.  
Conolly, Mr. A., 67.  
Crosby, Mr. A. B., 395.  
Crump, Mr. D. J., 169.  
Davis, Mr. H. J., 357.  
Dixon, Mr. R., 288.  
Dury, Mr. T. S., 216.  
Ebsworth, Mr. W., 162.  
Elsmore, Mr. W. G., 323.  
Esam, Mr. W. B., 342.  
Forsyth, Mr. T. E., 274.  
Gill, Mr. A. E., 357.  
Gorrie, Mr. D., 377.  
Hall, Mr. R. T., 231.  
Harcastle, Mr. C. R. H., 288.  
Harrop, Mr. E. T., 80.  
Hayton, Mr. J. M., 274.  
Heald, Mr. F. H., 81.  
Heydon, Judge, C. G., 184.  
Hickey, Mr. J. E. S., 396.  
Hudson, Mr. J. H., 109.  
Hughes, Mr. G. L. H., 126.  
Hughes-Onslow, Mr. H., 245.  
Huskinson, Col. C. J., 430.  
Jackson, Mr. A., 412.  
Jarvis, Mr. J. S., 246.  
Kekewich, Sir T., 198.  
Kendrick, Mr. R. A., 342.  
Kidd, Mr. W., 289.  
Knight, Mr. R., 126.  
Knox, Sir A., 304.  
Lambert, Mr. P. B., 288.  
Lamonby, Mr. H. R., 67.  
Leng, Mr. J. R., 97.  
Lewis, Mr. D., 81.  
Lord, Mr. C., 304.  
Mackintosh, Mr. Charles, 28.  
Maclean, Sir D., M.P., 430.  
Marjoribanks, Mr. E., 245.  
Marquis, Mr. R., 162.  
Marshall, Mr. H. O., 109.  
Martin, Mr. F. W., 97.  
Mather, Mr. H., 198.  
May, Mr. H. P., 198.  
May, Mr. W., 342.  
Middleton, Sir J. P., 453.  
Mitchell-Innes, Mr. E. A., K.C., 184.  
Monson, Mr. G. H., 377.  
Moore, Mr. J., 342.  
Murray, Mr. W. R. W., 342.  
Oakley, Mr. T. E. Livingstone, 47.  
O'Connor, Sir James, 11.  
Onslow, Mr. A. H., 67.  
Palmer, Mr. F. Freke, 67.  
Patrick, Mr. J., 231.  
Peck, Mr. G. M., 323.  
Porter, Mr. T. S., 162.  
Robinson, Mr. J., 357.  
Roche, Sir G., 80.  
Rolle, Mr. H., 126.  
Room, Mr. L. C. T., 146.  
Round, Mr. A., 231.  
Sagar, Mr. H., 231.  
Shortt, Judge, 342.  
Smith, Mr. F. F., 246.  
Smith, Mr. T. H., 126.  
Smith, Mr. Theodore, 28.  
Spence, Mr. E. F., K.C., 395.  
Stephens, Mr. D., K.C., 216.  
Strahan, Mr. G. W., 184.  
Stringer, Mr. C. W., 396.  
Tassell, Mr. A. J., 28.  
Taylor, Mr. E. L., 231.  
Thring, Sir Arthur, 288.  
Tilly, Mr. T. H., 304.  
Travell, Mr. J. J., 231.  
Varley, Mr. A., 80.  
Vesey-Fitzgerald, Mr. J. F., 28.

Ward, Mr. W. W., 146.  
Waterworth, Mr. J., 246.  
Watkinson, Mr. F. C., 162.  
Wheatley, Mr. J. L., 109.  
Whitelaw, Mr. J. W., 109.  
Whitfield, Mr. L. L., 80.  
Whittaker, Mr. W. J., 28.  
Whittington, Mr. G., 81.  
Wiles, Mr. C. S., 146.  
Williams, Mr. R. (Ashbourne), 67.  
Williams, Mr. R. (Birmingham), 357.  
Williamson, Mr. R. W., 109.  
Wilson, Mr. J., 162.  
Wilson, Mr. Justice, 28.  
Wriford, Mr. A. St. John W., 231.  
Young, Mr. D., 289.  
Young, Mr. G., 289.

## REVIEWS.

Administration of Estates [Cosway], 270.  
Annual County Courts Practice, 1932 [Ruegg and Stanes], 145.  
Articled Clerks' Cram Book [Chaney], 454.  
Banking and Currency [Sykes], 473.  
Bills of Costs [Thomas], 62.  
Book of English Law [Jenks], 326.  
British Brief—England's Reparation Victims and War Debt [Monsley], 326.  
Carriage of Goods by Sea Act, 1924 [Hodgson], 303.  
Chalmers's Bills of Exchange [Gibb], 246.  
Chitty's Forms of Civil Proceedings in the King's Bench Division [Clark], 79.  
Company Accounts and Balance Sheets [Moore], 231.  
Company Transfer Work [White], 93.  
Court Martial of "Bounty" Mutineers [Rutter], 47.  
Crane's Motor Law Concordance, 270.  
Criminal Abortion, 1932 [Parry], 126.  
Daniel's Law of Distress for Rent [Pocock], 146.  
De Omnibus Rebus [Ranking], 326.  
Dicey's Digest of the Law of England with Reference to the Conflict of Laws [Keith], 412.  
Education Act, 1921—Compendium of Precedents [Ikin and Sparkle], 125.  
Elements of Conveyancing (with Precedents) for Use of Students [Burnett], 145.  
English Law and its Background [Fifoot], 231.  
Establishment in England [Dibdin], 453.  
Gale's Treatise on the Law\* of Easements [Glover], 413.  
Guide to the Import Duties Act, 1932 [Aronson], 304.  
Income Tax Acts, 270.  
Income Tax Law, Practice and Administration [Charles, Croom-Johnson, Eccott and Dixon], 374.  
Income Tax on Land and Buildings [Mustoe], 199.  
International Law—A Restatement of Principles in Conformity with Actual Practice [Stowell], 27.  
International Law Cases, Annual Digest of Public, 1927-28 [McNair and Lauterpacht], 8.  
International Rivers, Economic Users of [Smith], 7.  
Introduction to Real Property Law [Watson], 287.  
Judicial Review, 270.  
Justice of the Peace [Walker], 63.  
Landlord and Tenant Act, 1927 [Merlin], 46.  
Law and Organisation of the British Civil Service [Mustoe], 357.  
Law of Banking and Stock Exchange Transactions [Hart], 167.  
Law of Collisions on Land [Roberts], 126.  
Law of Distress for Rent and Rates [Davies], 27.



Law of Hire and Hire-Purchase [Pereira], 454.  
Law of the Sale of Goods [Austin], 454.  
Law Relating to Restraint of Trade [Hedges], 199.  
Legal Duties and Other Essays in Jurisprudence [Allen], 125.  
Local Government Law, Principles of [Jennings], 112.  
Local Government of the United Kingdom and the Irish Free State [Clarke], 431.  
MacLachlan on Merchant Shipping [Pilcher], 183.  
Marriage in Church, Chapel and Register Office [May], 63.  
Mercantile Law, Principles of [Charlesworth], 63.  
Merchant Shipping Acts [Temperley and McNair], 167.  
My Affairs, 393.  
Notable British Trials—The Baccarat Case [Shore], 393.  
Notable Trials—Difficult Cases [Deans], 304.  
Pleasant Hour in the Temple [Freeman], 431.  
Powers of Attorney, 454.  
Principles of the Law of Contracts [Leake], 63.  
Promotion and Accounts of a Private Limited Company [Jenkinson], 232.  
Reports of Cases Decided by Francis Bacon in the High Court of Chancery (1617-1621) [Ritchie], 393.  
Roscoe's Admiralty Practice [Hutchinson], 79.  
Russell on Power and Duty of an Arbitrator [Aronson], 62.  
Some Experiences of a Court-Martial Officer [Hannan-Clark], 343.  
Some Memories [Washington Fox], 46.  
Spicer and Pegler's Income Tax [Wilson], 199.  
Stock Exchange Official Intelligence, 1932, 454.  
Stone's Justices' Manual, 1932 [Dingle], 343.  
Taylor on Evidence [Croom-Johnson], 93.  
Testamentary Annuities [Bowles], 183.  
The Times House of Commons Guide, 1931, 183.  
Voluntary Liquidation under the Companies Act, 1929 [Jordan and Blackadder], 304.  
Warburton's Leading Cases in the Criminal Law [Odgers], 413.  
Who's Who, 1932, 112.  
Wig and Gown [Blackham], 216.  
Yearly County Court Practice [Dale, Pugh and Partington], 145.

### IN LIGHTER VEIN.

Anniversary, The Week's, 8, 27, 47, 66, 81, 92, 109, 128, 142, 164, 183, 199, 214, 230, 248, 272, 287, 308, 325, 342, 359, 373, 395, 409, 431, 457.  
Agreement, 309.  
Belief in Witchcraft, 457.  
Classics Transformed, 142.  
Clerical Kissing, 248.  
Consulting the Victim, 81.  
Counting the Cost, 309.  
Dancing Days, 287.  
Dangers of Charity, 431.  
Dartmoor Crowd, 359.  
Deaf Jurors and Others, 164.  
Desperate Tactics, 183.  
Devil Turns Up, 431.  
Discerning Spirits, 272.  
Distinctions in Defamation, 309.  
Doubling the Parts, 248.  
Electric Reporter, 27.  
Equitable Mind, 164.  
Fire! 230.

French Experiment, 183.  
French Lesson, 230.  
Happy Life, 81.  
Hiding Identity, 342.  
Hunt in Hall, 214.  
Illegality made Manifest, 214.  
In the Mass, 142.  
Judges' Dogs, 47.  
Judge's Guardian, 92.  
Judges Upset, 8.  
Lawful Golf, 409.  
Lawful Sport, 8.  
Lawyers' Wills, 287.  
Learned Slanderers, 272.  
Litigation Discouraged, 199.  
Little Mouse, 47.  
Marital Lawyers, 287.  
Mourning and Murder, 359.  
New Resistance, 395.  
Note Tradition, 395.  
Other Uses for Books, 457.  
Our Dumb Colleagues, 373.  
Personal Appeal, 409.  
Poets and Policemen, 142.  
Princeton Topics, 325.  
Rebuke, 199.  
Regrettable Acts, 230.  
Root of Things, 67.  
Salvation in Scripture, 27.  
Scots Distinction, 431.  
Scriptural Citations, 342.  
Sea Lawyers, 128.  
Seasonable Excuses, 395.  
Shoplifting Epidemic, 109.  
Sureties in Scripture, 92.  
Tail Twist, 66.  
Tears Flow, 109.  
Theft in Court, 325.  
Time and Justice, 342.  
Trials of Jurors, 457.  
Two Echoes, 128.  
Unofficial Jokes, 457.  
Voice of Ham, 373.  
What is Defamatory, 92.  
Wigs and Hair, 66.  
Wild Snail, 409.  
Wilful Slumber, 373.  
Witchcraft Belief, 248.

### SOCIETIES.

Association of County Court Registrars, 291.  
Auctioneers' and Estate Agents' Institute, 83, 151, 186, 219, 363.  
Bar Golfing Society, 98.  
Barristers' Benevolent Association, 291, 361.  
Birmingham Law Society, 131, 150.  
Bribery and Secret Commissions Prevention League, Incorporated, 99.  
Central Discharged Prisoners' Aid Society, 462.  
Chester and North Wales Incorporated Law Society, 398.  
City of London Solicitors' Company, 131, 170, 398.  
General Council of the Bar, 98, 130, 202, 275.  
Gray's Inn, 82, 291, 419.  
Grocius Society, 82, 310.  
Haldane Club, 219, 311, 389.  
Hardwicke Society, 362, 462.  
Incorporated Accountants' Manchester and District Society, 150.  
Inner Temple, 83, 311.  
Inns of Court—Calls to the Bar, 291, 418.  
International Law Association, 219.  
Law Association, 99, 310, 419, 435.  
Law Clerks' Debating Society, 151.  
Law Society, 11, 97, 398, 462.  
Law Society—Final Examination, 251.  
Law Society—Honours Examination, 310.

Law Society—Intermediate Examination, 235.  
Law Society—Preliminary Examination, 187.  
Law Society's School of Law, 12, 218, 251.  
Law Students' Debating Society, 69, 82, 98, 114, 131, 151, 202, 252, 291, 311, 380.  
Lincoln's Inn, 274.  
London School of Economics—"Statute of Westminster," 129.  
Liverpool and District Society of Incorporated Accountants, 99.  
Medico-Legal Society, 115.  
Middle Temple, 69, 312, 435.  
Royal Society of Arts, 311.  
Selden Society, 203.  
Sheffield District Incorporated Law Society, 234.  
Social and Political Education League, 151.  
Society of Incorporated Accountants and Auditors, 363.  
Solicitors' Benevolent Association, 69, 102, 203, 291, 362, 435.  
Solicitors' Clerks' Pension Fund, 69, 114.  
Solicitors' Law Stationery Society, Limited—Annual Report, 250.  
Solicitors' Managing Clerks' Association, 130, 170, 186, 218.  
Sussex Law Society, 234.  
United Law Clerks' Society, 203, 234, 329.  
United Law Society, 69, 82, 99, 115, 131, 151, 170, 186, 203, 234, 274.  
University of London—King's College Faculty of Laws Society, 275.  
University of London Law Society, 83, 186.  
University of London—School of Economics, 418.  
University of London—"The New Dominion Status," 113, 149, 169.

### RULES AND ORDERS.

Bankruptcy Fees (Amendment No. 1) Order, 1932, 51.  
Bankruptcy Rules (No. 2), 1931 14.  
County Court Districts (Miscellaneous No. 1) Order, 1932, 83.  
County Court Districts (Wigton and Silloth) Order, 1932, 275.  
County Court (No. 2) Rules, 1931, 14.  
County Court (Service Abroad) Rules, 1931, 12.  
Crown Office Rules, 1932, 168.  
Matrimonial Causes (Foreign Conventions) Rules, 1932, 168.  
Matrimonial Causes (Solicitors' Costs) Rules, 1932, 347.  
Ministry of Health (Rate of Interest) Amendment Order, 1932, 51.  
New Procedure—Summonses in Chambers, 398.  
Order of the Lord Chancellor applying Procedure of Order XI, Rule 8, of the Rules of the Supreme Court, to Persia, 169.  
Relief Regulation (Provisional) (Amendment) Order, 1932, 363.  
Rules of the Supreme Court (New Procedure), 1932, 330.  
Rules of the Supreme Court (No. 1), 1932, 168.  
Workmen's Compensation Rules (No. 2), 1931, 14.

### HONOURS AND APPOINTMENTS.

Adams, Mr. J. E. C., 428.  
Ahmad, Mr. M. R., 30.  
Allen, Mr. W., K.C., 187.  
Amos, Sir Maurice S., K.B.E., 172.  
Angers, Mr. E. R., K.C., 99.  
Ashton, Mr. T. M., 236.  
Atkinson, Mr. C. J. F., 16.  
Atkinson, Mr. E. H. T., 419.  
Avory, Sir H. E., 419.  
Ayyar, Mr. D. B. A. K., 30.

Ball, Mr. W. V., 99.  
Barber, Mr. C. M., 464.  
Barclay, Mr. A. G., 187.  
Basu, Mr. B. K., 30.  
Bell, Major C. W., 256.  
Bellingham, Mr. E., 70.  
Bevan, Mr. S., K.C., M.P., 187.  
Bircham, Mr. B. O., 29.  
Birkett, Mr. W. N., K.C., 332.  
Bodkin, Sir A., 436.  
Bontwood, Mr. A., 115.  
Bracewell, Mr. A., 332.  
Brander, Mr. G., 30.  
Brewis, Mr. G. A., 464.  
Bridges, Mr. R. C., 99.  
Brown, Mr. Harold G., 16.  
Buckmaster, Rt. Hon. S. O., Baron, 419.  
Bull, Mr. J. R., 30.  
Burrows, Mr. R., 172.  
Bushe, Mr. H. G., 30.  
  
Cave, Mr. E. W., K.C., 187.  
Chalmers, Mr. D. F., 203.  
Chamier, Sir E. D., K.C.I.E., 203.  
Charteris, Hon. E. E., K.C., 419.  
Cheeseman, Mr. E. L., 420.  
Chree, Mr. William, K.C., 70, 419.  
Cleave, Mr. J. K. F., 256.  
Coleman, Mr. S., 292.  
Collins, Hon. S. O. H., C.B.E., 172.  
Cotes-Predy, Mr. D., K.C., 332, 363.  
Cunliffe, Mr. J. R. Ellis, 30.  
Cunliffe, Sir Herbert, K.C., 203.  
  
Darlow, Mr. G. F., 256.  
Dastur, Mr. H. P., 419.  
Davies, Mr. H., 203.  
Davies, Mr. W. A., 172.  
Davis, Mr. C. N. T., 187.  
Dawbarn, Mr. J. R., 132.  
Deans, Mr. R. S., 380.  
des Forges, Mr. W. S., 132.  
Devadoss, Mr. M. D., 30.  
Dobell, Mr. E. S., 276.  
Dodson, Mr. G., 84.  
Duffy, Hon. Sir F. G., K.C.M.G., 400.  
du Parcq, Mr. Herbert, K.C., 152.  
Durant, Mr. E. C., M.V.O., 187.  
Edwards, Mr. F., 99.  
Farr, Mr. E. R., 115.  
Fillmore, Mr. H. C. F. M., 152.  
Fladgate, Mr. W. F., M.V.O., 435.  
Fleming, Mr. E. L., 172.  
Forrester, Mr. A. L., 436.  
  
Gibbon, Master D. S., 275.  
Giles, Sir C. T., K.C., 347.  
Gillett, Col. W. A., 292.  
Goddard, Mr. R., K.C., 236, 256.  
Goodman, Mr. S. C. N., 172.  
Gorman, Mr. W., 172.  
Greaves-Lord, Sir W., K.C., 276.  
Greenidge, Mr. C. W. N., 172.  
Greenwood, Mr. F., 420.  
Griffith, Mr. F. K., 84.  
Gupta, Mr. S. C., 30.  
Hall, Mr. W. Clarke, 29.  
Hains, Mr. P. A., 29.

Hansell, Sir W., K.C., 332.  
Hart, Mr. A. F., 420.  
Hasan, Mr. S. W., 30.  
Hayman, Mr. P. M. C., 256.  
Hayward, Mr. E. J., 420.  
Herford, Mr. H. J. R., 172.  
Hinton, Mr. H., 30.  
Hughes, Mr. H. S. J., 172.  
Hutchinson, Mr. St. John, 16.  
Inskip, Sir T. W. H., K.C., 29, 84.  
James, Mr. J. E. A., 256.  
Jardine, Mr. J. W., K.C., 256, 312.  
Jeffery, Mr. H. A., 152.  
Jennings, Mr. A. O., 29.  
Jones, Mr. H. T., 152.  
Keating, Miss M. G., 364.  
Kelly, Mr. J. B., 70.  
Kerr, Mr. D. C., 187.  
  
Lailay, His Hon. Judge, K.C., 51.  
Latifi, Mr. A., 419.  
Lauder, Mr. A. E., 420.  
Lauder, Mr. K., 51.  
Lawrence, The Hon. G., K.C., 275, 312.  
Lawrence, Hon. Mr. Justice, 332.  
Leake, Mr. H. D. S., 428.  
Lees, Mr. A. J., 30.  
Lowry, Sir A., 347.  
  
Macdonald, Mr. J., K.C., 347.  
McDonald, Mr. S., 347.  
Macgregor, Mr. John, 16.  
McIntire, Mr. G. S., 347.  
Mackinnon, Mr. J. A. R., 364.  
Macmorran, Mr. K. M., 172.  
McMurtrie, Mr. D. S. A., 236.  
Macpherson, Mr. E., 428.  
Main, Lieut.-Col. D., V.D., 435.  
Malan, Mr. F., 30.  
Marshall, Mr. C. W., 256.  
Meeke, Mr. R., 115.  
Megaw, Mr. R. D., K.C., 115.  
Merriman, Sir F. B., K.C., 84.  
Midgley, Mr. E. C., 203.  
Millar, Mr. J. D., 30.  
Milne, Mr. C., 236.  
Mitchell-Thomson, Sir W., 29.  
Monckton, Major W. T., M.C., K.C., 332.  
Moore, Mr. B. W., 256.  
Moore, Mr. K. A., 347.  
Moore, Rt. Hon. W., 419.  
Morrison, Mr. W. S., M.P., 203.  
Morton, Mr. F. D., K.C., 99.  
Mowll, Mr. R., 436.  
Mukharji, Mr. Justice L. G., 419.  
Neal, Sir Phene, 84.  
Negus, Lieut.-Col. R. E., 70.  
Northmore, Hon. J. A., 419.  
O'Connor, Mr. T. J., K.C., M.P., 172.  
  
Philipps, Sir H. E. E., 30.  
Pickles, Mr. A., 292.  
Pollitt, Mr. W. H., 380.  
Porter, Mr. S. L., K.C., 84.  
Price, Major, C. W. M., 51.  
Prideaux, Mr. R. F., 203.  
Purves, Mr. W. G., W.S., 219.

Rainford, Mr. R. S., 347.  
Reid, Mr. E. O., 203.  
Reid, Mr. J. S. C., 236.  
Rich, Hon. G. E., 419.  
Richards, Mr. D. E., 84.  
Richardson, Mr. B. H., 275.  
Richardson, Mr. J., 347.  
Robertson, Mr. J., 332.  
Robinson, Mr. W. H., 236.  
Rogers, Mr. G. F., 203.  
Rose, Mr. G. K., 363.  
Rowlatt, Sir S. A. T., K.C.S.I., 256.  
Roxburgh, Mr. T. J. Y., 30.  
Ruddock, Mr. A. S., 400.  
Rumsey, Mr. L. E., 464.  
  
Salt, Mr. H. E., 172.  
Sanderson, Sir L., 436.  
Sankey, Lord, 29.  
Sapte, Mr. F., 70.  
Schofield, Mr. A. N., 30.  
Seringeour, Mr. G. C., 99.  
Scroope, Mr. A. E., 364.  
Seddon, Mr. J., 420.  
Sharman, Mr. H. A., 236.  
Sheridan, Mr. J., 419.  
Shuckburgh, Mr. R. S., 420.  
Simmons, Sir Percy, 51.  
Skeels, Dr. P. B., 436.  
Small, Mr. H. M., 364.  
Smith, Mr. J. H., 380.  
Smith, Mr. P. R. E., 436.  
Stocks, Mr. A. D., 419.  
Stone, Mr. N. R., 256.  
Stowe, Mr. H. S., K.C., 16.  
Stray, Mr. S. A., 152.  
Streatfield, Mr. G. H. B., 436.  
Strohmeier, Sir E., 347.  
Sturton, Mr. D. P., 16.  
Sulaiman, Sir S. M., 115.  
  
Tew, Mr. M. L., 419.  
Thom, Lieut.-Col. J. G., M.P., 152.  
Thomas, Mr. F. D., 219.  
Thorp, Mr. L. T., 172.  
Townsend, Mr. J. A. B., 420.  
Trapnell, Mr. J. G., K.C., 363.  
Trevanion, Mr. C. G., 188.  
Tucker, Mr. C. H., 132.  
Tucker, Mr. J. M., 172.  
  
U Ba U, 312.  
Ullah, Mr. C. N., 236.  
Vezey, Mr. T., 187.  
  
Walker, Lieut.-Col. T. H., 312.  
Walker, Mr. T. Hollis, K.C., 16, 436.  
Waller, Mr. Justice D. G., 419.  
Whitehouse, Dr. W. H., 436.  
Whiteley, Mr. Cecil, K.C., 16.\*  
Whittingham, Mr. J. P., 400.  
Willan, Mr. W. E., 172.  
Williams, Mr. D., 172.  
Wilson, Mr. G. H. R., 292.  
Wood, Major M. McKenzie, 30.  
Wright, Mr. R. H., 152.  
Wright, Sir R. A., 275.  
Yahya, Mr. S. M., 420.

## POINTS IN PRACTICE.

- Accident to Scholar, Liability for, 26.  
Administration: Threatened Breach of Condition of Bond: Remedy of Surety, 64.  
Administration: When Liability under Bond Ceases, 306.  
Advertisements for Creditors: Time for Issuing, 182.  
Agreement for Lease for Life or so long as Lessee shall Reside in House, 26.  
Agricultural Credits Act, 1928: Tithe Rent Charge, 375.  
Annuities: Whether for Life or Perpetual, 200.  
Annuity Free of Income Tax, 65.  
Annuity Free of Income Tax: Recovery of Tax, 375.  
Appointment of New Trustee by Executor of last Surviving who has not Proved Will, 246.  
Appointment of Permanent Director, 432.  
Assent: Recovery of Rent Due since Death but prior to Assent, 305.  
Assent by Administrator to Vesting of Equitable Interest in Himself as Surviving Spouse, 66.  
Assent by Personal Representatives to a Purchaser from them: Legality: Stamp, 455.  
Assent in Satisfaction of Widow's £1,000: When Liable to Stamp Duty, 9.  
Assessment of Club, 268.  
Assessment of Shop for Income Tax, 268.  
Attorney's Use of Company's Seal, 394.  
Bankruptcy Notice, Execution after, 48.  
Bequest of £400 War Loan, 26.  
Building Scheme: Power to Alter: Restrictions, 127.  
*Cestui que* Trust giving Guarantee to Bankers with Notice of the Relationship to secure the Trustees' Account: Undue Influence: Position of Bank, 455.  
Charity: Conveyance of Building for Use of Inhabitants of B, 127.  
Commission Agent as Workman, 65.  
Company: Issue of Debentures: Interested Director, 376.  
Company: Purchase of Land by Trustees for, 48.  
Contract for Sale to be Effected by way of a Demise at a Premium: Costs of Vendor: L.P.A., 1925, s. 48, 247.  
Contract with Advertising Firm to Erect Plates, 128.  
Conveyance of Interest in Equity of Redemption: Stamp, 143.  
Costs of Copy Will Supplied to Legatee, 49.  
County Borough: Sale of Land not Required for Recreation Ground, 143.  
Covenant not to use Building otherwise than as Private or Professional Residence: Letting in Tenements, 411.  
Covenant to Pay Definite Share of Street Making Charges: Enforcing, 247.  
Covenants: Affirmative and Restrictive: Registration, 145.  
Damage by Escaped Prisoners, 325.  
Damage to Lawns from Leaves, 286.  
Decontrol by Part Possession, 110.  
Deed of Assignment: Sale to a Member of the Committee of Inspection, 375.  
Dependency of Wife after Separation, 9.  
De-Rating: Whether Benefit of Rates to be Passed to Tenant, 182.  
Devolution of Statutory Tenancy, 432.  
Directors as Debenture-holders, 358.  
Distraint for Income Tax, 48.  
Dominant User of Dwelling-house, 305.  
Draft Conveyance: Submission and Approval of, 48.  
Effect of Limitation prior to 1926 to Two "in Fee": Transitional Provisions of L.P.A., 1925, 65.  
Enfranchised Land: Tenant on Rolls Trustee for Corporation: Vesting, 286.  
Estate Agent: Contract Prepared by Commission, 223.  
Execution after Bankruptcy Notice, 48.  
Forfeiture of Unclaimed Dividends, 394.  
Freebench: Non-Claim for over Thirty Years: Right Barred, 215.  
Husband and Wife: Dependency of Wife after Separation, 9.  
Husband and Wife: Joint Investments: Estate Duty, 455.  
Husband and Wife: Living Together in Wife's House: Payments by Husband for Repairs, 49.  
Incidence of *ad valorem* Duty, 432.  
Incidence of Tariff Duty, 411.  
Income Tax: Distraint for, 48.  
Income Tax: Increase of, by Finance (No. 2) Act, 1931: Effect on Purchasers of Shares, 341.  
Income Tax: Schedule A, 182.  
Income Tax: Schedule A: Rent in Excess of Annual Value, 94.  
Income Tax Adjustment between Buyer and Seller, 341.  
Income Tax on Mortgage Interest, 269.  
Income Tax on Share brought into Hotchpot, 394.  
Industrial and Provident Society: Amalgamation: Effect on a "Nomination," 324.  
Infant's Liability for Motor Accident, 163.  
Intestacy: Industrial and Provident or Friendly Society: Nomination: Hotchpot, 305.  
Intestacy: Issue of Uncles and Aunts, 144.  
Jointure Rent-Charge: Land Subject to, 48.  
Land Drainage Act, 1930: Annual Valuation, 78.  
Landlord and Tenant: Covenant to Pay Inclusive Rent: Property Left Unoccupied, 229.  
Landlord and Tenant Act, 1927, 94. & Legality of "Free Drawings" in Club, 163.  
Liability for Accident to Scholar, 26.  
Liability for Damage by Golf Ball, 286.  
Liability for Fire upon Motor Van, 358.  
Liability for Injury to Scholar, 432.  
Licensing: Annual General Licensing Meeting: Adjournment for more than One Month: Effect, 410.  
Lien for Garage Expenses, 269.  
Lights on Vehicles, 163.  
Loans by Company to Directors, 144.  
Mandate to Bank by Three Executors to Honour Signatures of Two: Position of Executors and of Bank, 456.  
Mortgage: Sale of Property Subject to First and Second, 49.  
Mortgage: Second: Attornment Clause: Bankruptcy of Mortgagor: Recovery of Possession, 26.  
Mortgage: Vacating Receipt under L.P.A., 1925, s. 115: Stamp, 223.  
Nationality: Domicile: Testamentary Capacity, 456.  
Non-Charitable Gifts to Perpetual Institutions: Validity of, 64.  
Notice to Quit: Necessity for, 49.  
Notice to Quit House and Land, 94.  
Notice under L.T.A., 1927, 410.  
Notices to Admit in Matrimonial Cases, 305.  
Parish Meeting: Execution of Conveyance by, 200.  
Partnership Property Acquired since 1925: Death of One Partner: Powers of Survivor, 247.  
Pawnbroker's Liability for Burglary, 457.  
Pedigree Bull: Breach of Warranty: Measure of Damages: Remoteness, 358.  
Personal Injuries from Dangers Underfoot, 411.  
Post-1925 Sale by One Trustee: Receipt for Purchase Money: Legal Estate: Confirmation, 286.  
Poultry Farmer's Liability for Wages, 410.  
Power of District Council to Contribute to save Amenities of a Township in their District, 358.  
Prematurity under Landlord and Tenant Act, 1927, 110.  
Priority of Electricity Charges, 163.  
Professional Purposes: Carrying on a School, 215.  
Promotion of General Welfare of Parish: Charitable Trust, 127.  
Protection of Property from Flooding, 78.  
Purchase at Auction: Liability of Vendor, 182.  
Railway Company's Liability on Cheap Tickets, 324.  
Rateable Value: Ratio of Rent to, 9.  
Rating of Park Land: Mansion Unoccupied, 144.  
Ratio of Rent to Rateable Value, 9.  
Recovery of Arrears of Rent, 65.  
Rejection of Proof in Voluntary Winding Up, 143.  
Rent: Liability of Assignee after Expiration of Lease: Limitation of Action for Arrears, 411.  
Rent Restrictions Acts: De-control by Lease, 375.  
Rent Restrictions Acts: Remedy of Mortgagee when Security Depreciated, 1.  
Rent Restrictions Acts: Service Tenancy, 457.  
Repayment of Mortgage in Gold, 94.  
Restrictive Covenant against Erecting Building: Addition to New Building, 341.  
Scope of Third Party Insurance Policy, 306.  
Scope of Silicosis Scheme, 394.  
Searches: How far back, 215.  
Second Mortgage: Attornment Clause: Bankruptcy of Mortgagor: Recovery of Possession, 26.  
Secret Trust: Creation, 78.  
Secretary of Building Society as Director, 269.  
Section 84 of the Law of Property Act, 1925, 200.  
Separation: Dependency of Wife after, 9.  
Separation Order: Effect of, 456.  
Settled Land: Private Burial Ground, 411.  
Settled Land: Tenant for Life Liable by Express Provision to do Repairs, 268.  
Settlement: Incidence and Payment of Death Duties, 324.  
Settlement of Land by Will: Legal Estate Remaining in Executors, 200.  
Specific Bequest of Leaseholds: Incidence of Outgoings from Date of Death to Date of Assent, 66.  
Sporting Rights: Right of Licensee's Gamekeeper to Carry Gun, 268.  
Stamp Duty: Liability of Assent to, 9.  
Statutory Tenancy: Rent: Landlord and Execution Creditor, 375.  
Surety Joint Covenant Only: Effect of Death, 306.  
Tenancy of Paddock, 455.  
Trust for Sale: One Trustee Bankrupt: Sale: Position, 456.  
Unstamped Apprenticeship Deed: Liability for Stamp Duty and Penalty as between Apprentice and Master, 305.  
Validity of Banking Partnership, 341.  
Validity of Bill of Sale, 410.  
Validity of Election of Alderman, 64.  
Voluntary Settlements: Stamp Duty, 143.  
Wife Dead in Lifetime of Husband who is since Dead: Grant of Administration in Estate of Wife to a Child, 324.  
Will: Direction to Set-off Debt from Residuary Legatee: Debt Greater than Share of Residue, 26.  
Will: Meaning of Word "Family," 110.  
Will: Specific Bequest of Diamonds: Bequest of Jewellery not otherwise disposed of: Lapse: Effect, 376.



## NAMES OF REPORTED CASES.

- Airedale Garage Company, Ltd., *In re*: Anglo-South American Bank, Ltd. v. The Company [C.D.], 396.  
Application of The Right Hon. David Lloyd George, *In re* [K.B.D.], 166.  
Assicurazioni Generali v. Cotran [P.C.], 50.  
Attorney-General v. Adamson [C.A.], 95.  
Attorney-General v. Smethwick Corporation [C.D.], 29.  
Attorney-General for Quebec v. Attorney-General for Canada [P.C.], 10.  
Attorney-General (on behalf of His Majesty) v. Jackson [H.L.], 146.  
Back (Inspector of Taxes) v. Whitlock [K.B.D.], 272.  
Banco de Portugal v. Waterlow & Sons, Ltd. [H.L.], 327.  
Barker v. Wood [K.B.D.], 307.  
Beck v. Solicitor to the Board of Trade; Goodchild v. Same [K.B.D.], 414.  
Bell v. Lever Brothers, Ltd. [H.L.], 50.  
Betts and Others v. Leicester Corporation [K.B.D.], 129.  
Blanchard, *In re*: Blanchard v. Blanchard [C.A.], 459.  
Blanchard, *In re*: *Ex parte* Blanchard [C.D.], 378.  
Bowker, deceased, *In the estate of* [P.D.A.], 344.  
Bowman, *In re*: South Shields (Thames Street) Clearance Order, 1931 [K.B.D.], 273.  
Bright v. Ashfold [K.B.D.], 344.  
Bundey v. Seabrook [C.D.], 289.  
Burford, *Re*: Burford v. Clifford [C.D.], 327; [C.A.], 377.  
Chapman v. Ellesmere and Others [C.A.], 248.  
City of London Insurance Co., *In re* [C.D.], 29.  
Clara Clark, deceased, *In the Estate of* [P.D.A.], 461.  
Clayton v. Clayton and Sharman [P.D.A.], 96.  
Contal Radio Ltd., *In re* [C.D.], 359.  
Cooper v. Cooper and Ford [P.D.A.], 249.  
Council of the Pharmaceutical Society of Great Britain v. Fuller [K.B.D.], 460.  
Cranstoun (James), deceased, *In re*: National Provincial Bank v. Royal Society for Encouragement of Arts, Manufactures and Commerce [C.D.], 111.  
Dampskibsselskabet Botnia A/S v. C. P. Bell & Co. [K.B.D.], 10.  
Duffy v. Duffy [P.D.A.], 397.  
Dunstable Portland Cement Co., Ltd., *In re* [C.D.], 95.  
Ellis v. John Stenning & Son, Ltd. [C.D.], 232.  
Fardon v. Harcourt-Rivington [H.L.], 81.  
Greening v. Queen Anne's Bounty [C.D.], 10.  
Hall D'Ath v. British Provident Association for Hospital and Additional Services [C.D.], 111.  
Hearts of Oak Assurance Co. Ltd. v. Attorney-General [H.L.], 217.  
Hennell v. Commissioners of Inland Revenue [K.B.D.], 397.  
Himley Estates Ltd. and Humble Investments Ltd. v. Commissioners of Inland Revenue [K.B.D.], 327.  
Hoare & Co. Ltd. v. Collyer [H.L.], 165.  
Holder v. Inland Revenue Commissioners [H.L.], 307.  
Hughes v. Hughes [P.D.A.], 344.  
Iberian Trust, Ltd. v. Founders Trust & Investment Co., Ltd. [K.B.D.], 249.  
Jackson v. Jackson [P.D.A.], 129.  
James, *In re*: Grenfell v. Hamilton [C.D.], 146.  
Joicey, *In re*: Thompson v. Duncan [C.D.], 459.  
Jones, *Re*: National Provincial Bank v. Official Receiver [C.D.], 111.  
Kaye Steam Navigation Co., Ltd. v. W. & R. Barnett, Ltd. [K.B.D.], 415.  
Keren Kayemeth le Jisrael, Ltd. v. Inland Revenue Commissioners [H.L.], 377.  
Knight v. Gordon and Wife [K.B.D.], 68.  
Kricorian v. Ottoman Bank [K.B.D.], 147.  
Lanificio Di Manerbio S.A. v. I. and R. Gold [K.B.D.], 289.  
McAlister or Donoghue (Pauper) v. Stevenson [H.L.], 396.  
McCall Brothers, Ltd. v. Hargreaves [K.B.D.], 433.  
McLean v. Bell [H.L.], 414.  
Maloney v. St. Helens Industrial Co-operative Society, Ltd. [K.B.D.], 460.  
Mann v. Nash (Inspector of Taxes) [K.B.D.], 201.  
Midland Bank Ltd. v. Reckitt and Others [H.L.], 165.  
Montague Stanley & Co. v. J. C. Solomon Ltd. [K.B.D.], 272.  
Naramore v. Fuller, Hall & Foulsham [K.B.D.], 289.  
Nathorn v. Nathorn [P.D.A.], 416.  
National Steamship Co., Ltd. v. Sociedad Anonima Commercial de Exportacion and Importacion (Louis Dreyfus and Cia), Ltd. [K.B.D.], 95.  
Ocean Accident and Guarantee Corporation Ltd. and Another v. Cole [K.B.D.], 378.  
Official Liquidator of M. E. Moolla Sons, Ltd. v. P. R. Burjorjee [P.C.], 185.  
Payne v. Allcock [K.B.D.], 308.  
Phillips, *In re*: Public Trustee v. Mayer [C.D.], 10.  
Portvale Steamship Co. Ltd. v. Corporation of the Royal Exchange [K.B.D.], 415.  
Price, *In re*: Trumper v. Price [C.D.], 217.  
Rex v. Alexander Murray [C.C.A.], 166.  
Rex v. Cravitz [C.C.A.], 50.  
Rex v. Editor, etc., of the "Daily Herald" and Davidson: *Ex parte* The Bishop of Norwich; Rex v. Editor, etc., of the "Empire News" and Davidson: *Ex parte* The Bishop of Norwich [K.B.D.], 165.  
Rex v. Editor, Printers and Publishers of "The News of the World": *Ex parte* Kitchen [K.B.D.], 147.  
Rex v. Griffiths [C.C.A.], 148.  
Rex v. Judge Clements: *Ex parte* Ferridge [K.B.D.], 414.  
Rex v. Van Dyn [C.C.A.], 112.  
Rex v. Whytt and Others: *Ex parte* Minister of Pensions [K.B.D.], 68.  
Ronnasen v. Arcos, Ltd. [K.B.D.], 148.  
Russian and English Bank, *In re* [C.D.], 201.  
Russian and English Bank v. Baring Bros. & Co. Ltd. [C.D.], 68.  
Salting, *In re*: Baillie-Hamilton v. Morgan [C.D.], 344.  
Seldon (Inspector of Taxes) v. Croom-Johnson [K.B.D.], 273.  
Simcock v. Simcock [P.D.A.], 345.  
Stedford v. Beloe [H.L.], 217.  
Stewart v. Stewart [P.D.A.], 96.  
Stillwell v. Windsor Corporation [C.D.], 433.  
Sullivan v. Constable [K.B.D.], 166.  
Sutton v. Dorf [K.B.D.], 359.  
Taylor (J.) & Sons, Ltd. v. Union Castle Mail Steamship Co., Ltd. [K.B.D.], 148.  
Thomas Merthyr Colliery Co. Ltd. v. Davis (Inspector of Taxes) [K.B.D.], 460.  
Toogood & Sons, Ltd. v. Green [H.L.], 458.  
Waithman, Donegan & Co. v. Ramirez [K.B.D.], 290.  
Watkins v. Reddy [P.D.A.], 433.  
Westminster Bank v. Osler; National Bank v. Baker [C.A.], 67.  
Weyerhaeuser and Others v. Evans [K.B.D.], 307.  
Whitwell v. Shakesby [K.B.D.], 360.  
Wilkins v. Leighton [C.D.], 232.  
Wilkins v. Wilkins [P.D.A.], 345.  
Williams v. Williams [P.D.A.], 461.  
Wirral Estates, Ltd. v. Shaw [K.B.D.], 82; [C.A.], 185.  
Wylie v. Lawrence Wright Music Co. [K.B.D.], 249.

## ANALYTICAL INDEX OF REPORTED CASES.

- AGRICULTURAL CREDITS ACT, 1928, s. 12—  
Floating Charge—Enforcement—Calling in Overdraft—Bankruptcy. [*Re* Jones: National Provincial Bank v. Official Receiver], 111.  
ALIMONY—  
Arrears—Judgment—Summons—Committal Order—Jurisdiction. [*In re* Blanchard: *Ex parte* Blanchard], 378.  
AUCTION SALE—  
Reserved Price—Vendor Bidding Personally—Sale below Reserved Price—Claim for Damages—Position of Auctioneer. [Naramore v. Fuller, Hall & Foulsham], 289.  
BANKING—  
Ottoman Bank—Current Account—Interest—Withdrawals—Whether in Gold or Paper Currency. [Kricorian v. Ottoman Bank], 147.  
BILL OF EXCHANGE—  
Order of Indorsement—No Negotiation—Alleged Agreement to Guarantee—Statute of Frauds relied on. [McCall Brothers, Ltd. v. Hargreaves], 433.  
CANADA—  
Dominion Insurance Legislation—Validity—Provincial Licensees—Insurance Act of Canada, R.S.C., 1927. [Attorney-General for Quebec v. Attorney-General for Canada], 10.  
CARRIAGE BY SEA—  
Mixed Cargo—Dangerous Article—Castor Beans—Mixed Sweepings after Discharging—Intermediate Sales—Horses' Death from Castor Poisoning—Shipowner not Liable. [J. Taylor & Sons, Ltd. v. Union Castle Mail Steamship Co., Ltd.], 148.  
CHARTER PARTY—  
Carriage of Timber—Loading Prevented by Ice—Weather Working Day. [Dampskibsselskabet Botnia A/S v. C. P. Bell & Co.], 10.  
CHEMIST—  
Registered—Unqualified Assistant—In Sole Charge of Shop—Breach of Statutory Provision—Poisons and Pharmacy Act, 1908, s. 3 (1). [Council of the Pharmaceutical Society of Great Britain v. Fuller], 460.  
COMPANIES ACT, 1929—  
Section 338 (2)—Russian Company—Dissolved before 1929—Winding Up Order—Law before 1929. [*In re* Russian and English Bank], 201.

## COMPANY—

Allotment of Shares—No Stamped Contract—Liability of Directors Personally—Whether "Knowingly" a Party to the Default—Companies Act, 1929, ss. 42, 365. [Beck v. Solicitor to the Board of Trade; Goodchild v. Same], 414.

Company not for Profit—Carrying on Insurance Business—*Ultra Vires*—Assurance Companies Act, 1909, s. 1. [Hall D'Ath v. British Provident Association for Hospital and Additional Services], 111.

Director—Order of Court—Company's Non-compliance—Attachment of Director—R.S.C., Ord. 41, r. 5; Ord. 42, r. 31. [Iberian Trust, Ltd. v. Founders Trust & Investment Co., Ltd.], 249.

Receiver—Rates—De-rating—Cancelled—Preferential Payments—"Due and Payable"—Companies Act, 1929, ss. 78, 264. [In re Airedule Garage Company, Ltd.; Anglo-South American Bank, Ltd. v. The Company], 335.

Winding up—Calls on "B" Contributors—Surplus—Repayment—Companies Act, 1929, s. 157. [City of London Insurance Co. Ltd., *In re*], 29.

Winding up—Companies Act, 1929, s. 251—Deed of Arrangement—Meaning of "Arrangement." [In re Contal Radio Limited], 359.

Winding up—Preference and Ordinary Shareholders—Meaning of "Surplus Assets." [In re Dunstable Portland Cement Co., Ltd.], 95.

## CONTEMPT OF COURT—

Consistory Court Proceedings Pending—Prejudicial Newspaper Articles—Divisional Court's Jurisdiction to Attach for Contempt. [Rex v. Editor, etc., of the "Daily Herald" and Davidson: *Ex parte* The Bishop of Norwich; Rex v. Editor, etc., of the "Empire News" and Davidson: *Ex parte* The Bishop of Norwich], 165.

Newspaper Article—Defence Foreshadowed—Unfounded Application—Rule nisi Discharged. [Rex v. Editor, Printers and Publishers of "The News of the World": *Ex parte* Kitchen], 147.

## CONTRACT—

Conversion—Printing Bank Notes for Bank—Plates left in Possession of Printers—Unauthorised Use of Plates—Issue of Notes—Reasonable Care. [Banco de Portugal v. Waterlow & Sons, Ltd.], 327.

Mutual Mistake—Non-disclosure of Material Facts—Breach of Duty—Rescission. [Bell v. Lever Brothers Ltd.], 50.

Sale of Goods—Foreign Seller—Government Duty Imposed during Contract Period—Liabilities of Parties—Finance Act, 1901, s. 10 (1). [Lanificio Di Manerbio S. A. v. I. and R. Gold], 289.

Timber—Not Strictly within Specification Measurements—Right of Rejection—Sale of Goods Act, 1893, ss. 13, 30. [Ronaasen v. Arcos, Ltd.], 148.

## CONVERSION OF TIMBER—

Judgment in Trover—Unsatisfied Action against other Defendants—Another Conversion—Judgment no Bar—Election. [Ellis v. John Stenning & Son, Ltd.], 232.

## CRIMINAL LAW—

Appeal—Notice of Abandonment—Application to withdraw it—Appeal Deemed Dismissed—Criminal Appeal Rules, 23. [Rex v. Van Dyn], 112.

Evidence of Accused—Attendance at Industrial School—Not Necessarily Conviction—Criminal Evidence Act, 1898 [Rex v. Cravitz], 50.

Habitual Criminal—Previous Convictions—All in Scotland—Admissible to Secure Conviction as Habitual Criminal in

England—Prevention of Crimes Act, 1871—Prevention of Crime Act, 1908. [Rex v. Alexander Murray], 166.

Nature of Sentence—Not to be Affected by Fact of Previous Convictions—Punishing Same Offence Twice. [Rex v. Griffiths], 148.

## DEED OF COVENANT—

Monthly Payment—Stamp Duty—Annuity—"Sum or Sums of Money at Stated Periods." [Hennell v. Commissioners of Inland Revenue], 397.

## DISTRESS—

Tithe—Abortive Auction Sale—New Order—Sale by Tender—Jurisdiction of County Court Judge. [Rex v. Judge Clements: *Ex parte* Ferridge], 414.

## DIVORCE—

Domicil—Wife's Petition—Prior Petition in Egypt Alleging Egyptian Domicil—Withdrawal of Instructions before Hearing—Former Representative's Conduct of Case Notwithstanding—Respondent Called to Prove Egyptian Domicil—Decree by Egyptian Court in Ignorance of Withdrawal of Instructions—Facts Proving English Domicil in Reality—Foreign Decree Invalid. [Hughes v. Hughes], 344.

Husband's Undefended Petition—Connivance and/or Conduct Conducting—Domicil and Marriage in England—Annulment by Michigan Court—Assent of Husband—Belief in Validity—Wife's Purported Marriage with Co-respondent—Supreme Court of Judicature (Consolidation) Act, 1925. [Clayton v. Clayton and Sharman], 96.

Indian Decree—Registration in England—Right of Guilty Party to Apply—Indian and Colonial Divorce Jurisdiction Act, 1926, s. 1, sub-s. (3). [Wilkins v. Wilkins], 345.

Petition for Variation of Settlement—Separation Deed—Husband's Covenant to Pay Allowance—Guilty Wife—Principles Applicable to Variation and Maintenance Contrasted—Wife's Allowance Reduced and Restricted *dum sola et casta*—Judicature (Consolidation) Act, 1925, s. 192. [Cooper v. Cooper and Ford], 249.

Reduction of Maintenance—Diminution of Former Husband's Income—Re-marriage of Former Wife—Substantial Means of After-taken Husband—Interim Order of One Year's Duration—Supreme Court of Judicature (Consolidation) Act, 1925, s. 190. [Duffy v. Duffy], 397.

## EXECUTOR—

Insolvent Estate—Right of Retainer—Priority of Crown Debt—Bankruptcy Act, 1914, s. 33—Administration of Estates Act, 1925, ss. 34, 57. [Attorney-General (on behalf of His Majesty) v. Jackson], 146.

## FRIENDLY SOCIETY—

Alteration of Rules—Levy on Prosperous Branches—In Aid of Non-Prosperous Branches. [Bunday v. Sealbrook], 289.

## GENERAL ELECTION—

Candidate's Election Expenses—Failure to Transmit Declaration—Application for Authorised Excuse—Illness—Inadvertence—Corrupt and Illegal Practices Prevention Act, 1883. [In re The Application of The Right Hon. David Lloyd George], 166.

## HOUSE IMPROPERLY CONSTRUCTED—

Fall of Land—Damage—Rule in *Rylands v. Fletcher*—Natural User of Land—Building. [Wilkins v. Leighton], 232.

## HUSBAND AND WIFE—

Appeal against Finding of Persistent Cruelty—Quarrel over Husband's Association with other Woman—Violent Assault by Husband—Subsequent Separation of

Parties—Second Assault by Husband found in Presence of other Woman—Evidence Sufficient to Support Finding—Appeal Dismissed. [Simcock v. Simcock], 345.

Discharge of Maintenance Order—Wife's Adultery—Limitation of Time for Application for Discharge—Summary Jurisdiction Act, 1848, ss. 1 and 11—Summary Jurisdiction (Married Women) Act, 1895, ss. 7 and 8. [Nathorn v. Nathorn], 416.

Husband's Appeal against Maintenance Order—Summons for Wilful Neglect—Husband and Mother Control House-keeping—"Unbearable" Conditions to Wife—Withdrawal by Wife and Child—Held, Wife had no Sufficient Cause of Complaint—*Millichamp v. Millichamp*, distinguished. [Jackson v. Jackson], 129.

Judicial Separation—Alimony—Failure to Pay Sum Ordered by Divorce Division—Application to Chancery Division for Committal—Order made for Payment of Certain Arrears—Discretion. [In re Blanchard: Blanchard v. Blanchard], 459.

Maintenance Order—Husband's Application to Rescind on Ground of Wife's Adultery—Non-cohabitation Clause in Order—Subsequent Birth of Child to Wife—Evidence of Non-access Receivable. [Stewart v. Stewart], 96.

Maintenance Order on the Ground of Desertion—Necessity of Corroboration Discussed—Summary Jurisdiction (Married Women) Act, 1895, s. 4. [Williams v. Williams], 461.

Wife's Dress—Claim by Dressmaker—Not Necessary—Judgment against Wife, but for Husband—Costs—How Husband's Costs Paid—Remedy against Wife. [Knight v. Gordon and Wife], 68.

## INCOME TAX—

Allowances—Brewery—Loss on Particular Tied Houses—No Loss on Aggregate—No Deduction. [Hoare & Co., Ltd. v. Collyer], 165.

Charity—Exemption—Company to Promote the Settlement of Jews in Palestine. [Keren Kayemeth Le Jisrael, Ltd. v. Inland Revenue Commissioners], 377.

Pension—Voluntary Payment—Not in Virtue of Office—Non-liability—Finance Act, 1922, s. 18. [Stedford v. Beloe], 217.

Repayment—Bank Overdraft—Guarantor's Claim to Relief—Interest Added to Capital—Income Tax Act, 1918, s. 36 (1). [Holder v. Inland Revenue Commissioners], 307.

## INDUSTRIAL ASSURANCE—

Inspection—Public or Private—Discretion of Inspector—Industrial Assurance Act, 1923, s. 17. [Hearts of Oak Assurance Co. Ltd. v. Attorney-General], 217.

## INSURANCE—

Accident—Death Following Pimple—Staphylococcal Infection—Disease—Exempted from Policy. [Weyerhaeuser and Others v. Evans], 307.

Life Policy—Turkish Subject—Policy Subject to Treaty of Lausanne—Payment at Maturity in Paper Francs. [Assicurazioni Generali v. Cotran], 50.

Motor Car—Third Party Risks—"Date of Commencement of Insurance"—Alleged Uncovered Period—Knowledge of Falsity of Certificate Essential—Road Traffic Act, 1930, s. 112 (3). [Ocean Accident and Guarantee Corporation Ltd. and Another v. Cole], 378.

Motor Cycle—Third Party Risk—Pillion Passenger—Vehicle not Covered by Policy—No Insurance—Road Traffic Act, 1930, s. 35 (1). [Bright v. Ashfold], 344.

LANDLORD AND TENANT—

- Rent Restriction—Crown's Prerogative—Exemption—New Tenancy Created by Purchaser from Crown—Subject to Rent Acts. [Wirral Estates, Ltd. v. Shaw], 82.
- Rent Restrictions—Crown Property Immune—Purchaser from Crown Creating New Tenancy—Revival of Restriction—Appeal from Decision of Divisional Court. [Wirral Estates, Ltd. v. Shaw], 185.
- Rent Restriction—Statutory Tenancy—Whether "Property" within Meaning of Bankruptcy Act, 1914—Bankruptcy Act, 1914, ss. 53, 167. [Sutton v. Dorf], 359.

LIBEL AND SLANDER—

- Publication—"Doping" of Racehorse—Trainer Warned Off Turf as Responsible for Care of Horse—Alleged Innuendo Implying Trainer's Personal Guilt—Privilege—Decision of Domestic Tribunal—Duty or Right to Publish. [Chapman v. Ellesmere and Others], 248.

LOCAL AUTHORITY—

- Electricity Improvement Supply Scheme—Dismissal of Workmen—Claim to Compensation—Electricity (Supply) Act, 1919, s. 16. [Betts and Others v. Leicester Corporation], 129.

LOCAL GOVERNMENT—

- Highway—Trees in Streets—Danger and Obstruction to Public—Power to Remove Trees—Public Health Act, 1875, s. 149. [Stillwell v. Windsor Corporation], 433.
- Housing—Clearance Area—Order—Opposition—Statutory Requirements not Complied with—Applicant not Prejudiced—Housing Act, 1930, ss. 1, 11. [In re Bowman: South Shields (Thames Street) Clearance Order, 1931], 273.

LOTTERY—

- Sale of Tickets—No Proof of Existence of Lottery—Proposed Lottery—Lotteries Act, 1823, s. 41—Vagrancy Act, 1824, ss. 4, 21. [Barker v. Wood], 307.

MASTER AND SERVANT.

- Contract of Employment—Wages during Sickness—Accident—Meaning of "Sickness." [Maloney v. St. Helens Industrial Co-operative Society, Ltd.], 460.

MARINE INSURANCE—

- Particular Average—Under 3 per cent. Franchise Clause—Damage to Vessel while lying up—Deemed to be Part of Voyage. [Portvale Steamship Co. Ltd. v. Corporation of the Royal Exchange], 415.

MOTOR CAR—

- Licence—Saloon Car—Used for Carriage of Goods—Higher Licence Rate Applicable—Finance Act, 1922, s. 14. [Payne v. Alcock], 308.

MUNICIPAL CORPORATION—

- Establishing Printing Works—Using General Rate Fund—*Ultra Vires*—Municipal Corporations Act, 1882. [Attorney-General v. Smethwick Corporation], 29.

NEGLECTANCE—

- Contributory Negligence—Motor Car Accident. [McLean v. Bell], 414.
- Dog Left in Parked Car—Injury to Passenger—Reasonable Probability of Danger. [Fardon v. Harcourt-Rivington], 81.
- Manufacturer and Consumer—Dead Snail in Ginger Beer Bottle—Liability of Manufacturer. [McAlister or Donoghue (Pauper) v. Stevenson], 396.

OSTEOPATH—

- "Osteopathic Physician and Surgeon"—Wilful and False Use of Titles of Surgeon and Physician—Medical Act, 1858, s. 40. [Whitwell v. Shakesby], 360.

POWER OF APPOINTMENT.

- General Power—Consent of Trustees—Duty in Exercise of Power. [In re Joicey: Thompson v. Duncan], 459.

PRACTICE—

- New Point of Law—First Raised before Court of Last Resort—Court's Discretion to Entertain. [Official Liquidator of M. E. Moolla, Sons, Ltd. v. P. R. Burjorjee], 185.
- Third Party Notice—Trust Money Lost by Trustees and their Solicitors—Action against Both by Beneficiaries to Recover—Third Party Notice by Trustees alleging Fiduciary Negligence against Solicitors—Relief Claimed Substantially the same as in the Action—R.S.C. Order XVI, r. 12. [In re Burford: Burford v. Clifford], 377.

PRINCIPAL AND AGENT—

- Authority to Draw Cheques—Cheque Drawn for Attorney's Private Debt—Liability of Bank—Negligence—Bills of Exchange Act, 1882, s. 82. [Midland Bank Ltd. v. Reckitt and Others], 165.
- Stock Exchange—Half Commission Agreement—Principal's Consent Withdrawn—Agreement Ended—Rules and Regulations of the Stock Exchange, r. 199 (5). [Waithman, Donegan & Co. v. Ramirez], 290.
- Stockbrokers—Half Commission Agreement—Half Loss—Contract of Indemnity. [Montague Stanley & Co. v. J. C. Solomon, Ltd.], 272.

PROBATE—

- Motion to Omit Words from Probate Copy of Will—Testator's Directions as to Disposal of Body—Words used Tending to Scandalise and Offend. [In the Estate of Bowker, deceased], 344.
- Practice—Motion to Exclude Words from Probate—Misdescription of Legatees—No Copy of Original Probate Issued. [In the Estate of Clara Clark, deceased], 461.
- Trial at Assizes—Right of Jury—Matter of Discretion—R.S.C. Order XXXVI, rr. 1-6; Court of Probate Act, 1857, ss. 35, 38; Statute Law Revision Act, 1892, s. 1, proviso. [Watkins v. Reddy], 433.

PUBLIC TRUSTEE—

- Plaintiff and Defendant—Summons to be Amended—Someone Else Beneficially Interested. [In re Phillips: Public Trustee v. Mayer], 10.

RATES.

- De-Rating—Industrial Hereditament—Seed Warehouse and Offices—Seed Cleaning and Sorting—Retail Shop—Rating and Valuation (Apportionment) Act, 1928, s. 3. [Toogood & Sons, Ltd. v. Green], 458.

REVENUE—

- Estate and Succession Duty—Settled Personality—Settlement in Favour of Settlor's Children—Settlor Retaining Control of Fund—Contingent Interests of Children—Property Passing on Death of Settlor—Finance Act, 1894, ss. 1, 22. [Attorney-General v. Adamson], 95.
- Income Tax—Bank—Profit from Conversion of Bonds into War Loan—Assessability to Income Tax—National Realisation of Bonds. [Westminster Bank v. Osler; National Bank v. Baker], 67.
- Income Tax—Barrister—Appointed King's Counsel—Not a New Profession—Income Tax Act, 1918, Sched. D, Cases I, II, r. 1 (2). [Seldon (Inspector of Taxes) v. Croom-Johnson], 273.
- Income Tax—From Possessions Abroad—Recipient's Subsequent Residence in England—Date when Income "First Arose"—Finance Act, 1926, s. 29 (1)

- (b) (ii). [Back (Inspector of Taxes) v. Whitlock], 272.

Income Tax—Profits from Illegal Automatic Machines—Taxable Profits of Trade. [Mann v. Nash (Inspector of Taxes)], 201.

Income Tax—Subscription to Coal Owners' Association—Deduction in Arriving at Profits—Expense of Business. [Thomas Merthyr Colliery Co. Ltd. v. Davis (Inspector of Taxes)], 460.

Super-Tax—Company's Income—Whether Reasonable Part Distributed—To be Deemed Income of Members—Company Controlled by "Not More Than Five Persons"—"Control" means "Actual Control"—Finance Act, 1922, s. 21 (6). [Himley Estates Ltd. and Humble Investments Ltd. v. Commissioners of Inland Revenue], 327.

SHIPPING—

- Charter-Party—Breach of Contract—Measure of Damages—Reduced by Potential Liability of Shipowner. [Kaye Steam Navigation Co., Ltd. v. W. & R. Barnett, Ltd.], 415.
- Charter-Party—Construction—Winchmen—Expense Debited to Owners. [National Steamship Co. Ltd. v. Sociedad Anonima Commercial de Exportacion e Importacion (Louis Dreyfus and Cia), Ltd.], 95.
- Yacht—Sale—Breach of Warranty—Dry Rot—Liability of Vendor. [Sullivan v. Constable], 166.

SHOP—

- Hours of Employment—Authorised Suspension of Half-Holiday—No Yearly Holiday—Claim for Wages in Lieu—Shops Act, 1912, ss. 1, 11 (1) (2). [Wylie v. Lawrence Wright Music Co.], 249.

STAYING PROCEEDINGS—

- Action by Russian Bank with London Branch—Dissolution of Bank—Position of Bank—Power to Recover Assets—Authority to Sue. [Russian and English Bank v. Baring Bros. & Co. Ltd.], 68.

THIRD PARTY NOTICE—

- R.S.C. Order 16A, Rule 12—Administrators of Estate—Solicitors. [Re Burford: Burford v. Clifford], 327.

TITHE—

- Rates—Rectory without Cure of Souls—"Benefice"—Tithe Act, 1927. [Greening v. Queen Anne's Bounty], 10.

WAR PENSIONS—

- Appeal Tribunal—Jurisdiction—Notice under War Pensions (Final Awards) Amendment Regulations, 1923. [Rex v. Whytt and Others: *Ex parte* Minister of Pensions], 68.

WILL—

- Charitable Gift—Devise of Ancient Cottages—Bequest of Sum for Maintenance—Gift to Society of Arts—Preservation. [In re James Cranstoun, deceased: National Provincial Bank v. Royal Society for Encouragement of Arts, Manufactures and Commerce], 111.
- Charitable Trust—Gift to Community—Home of Rest—*Cy-près*. [In re James: Grenfell v. Hamilton], 146.
- Settled Legacy—Protected Life Interest—Forfeiture of Life Interest on Alienation—Summons to Raise Capital Moneys for Benefit of Tenant for Life—Insurance of Life Estate—Premiums out of Income—Trustee Act, 1925, s. 57. [In re Salting: Baillie-Hamilton v. Morgan], 344.
- Specific Bequest—War Loan—*Falsa Demonstratio*—Conversion—Stock—Treasury Bonds. [In re Price: Trumper v. Price], 217.

OHIO  
UNIV  
Supp  
LIE



OHIO STATE  
UNIVERSITY

*Supplement to* "THE SOLICITORS' JOURNAL," 13th February, 1932.

LIBRARY

PRICE ONE SHILLING.

# THE SOLICITORS' JOURNAL.

---

---

## Statutes

ENACTED IN THE SESSION OF PARLIAMENT 1931.

21 & 22 GEO. 5.

---

---

LONDON :

PUBLISHED AT THE OFFICES OF "THE SOLICITORS' JOURNAL,"  
29, BREAMS BUILDINGS, E.C.4.

1932.



# Statutes

## ENACTED IN THE SESSION OF PARLIAMENT, 1931.

21 &amp; 22 Geo. 5.

### CHAPTER 6.

#### EDUCATION (LOCAL AUTHORITIES) ACT, 1931.

An Act to prevent the constitution of new local education authorities by reason only of the creation of new boroughs or other urban districts, or the extension of the boundaries of existing boroughs or urban districts.  
[3rd March, 1931.]

Be it enacted, etc. :—

1. *Amendment of 11 & 12 Geo. 5, c. 51, s. 3.*—(1) Notwithstanding anything in subsection (1) of section three of the Education Act, 1921, no council of an urban district (whether a borough or not) which is not at the commencement of this Act a local education authority for the purposes of elementary education shall become a local education authority unless expressly constituted as such by an Act passed after the commencement of this Act :

Provided that, in the event of two or more urban districts being united, if the council of any of those districts was a local education authority immediately before the union, the council of the urban district formed by the union shall be the local education authority for elementary education as respects that district.

(2) Paragraph (d) of the said subsection (1) (which defines the area as respects which the council of every county is the local education authority for the purposes of elementary education) shall have effect as if for the words "excluding the area of any such borough or urban district" there were therein substituted the words "excluding the area of any urban district (whether a borough or not) whereof the council is a local education authority for the purposes of elementary education."

2. *Short title and citation.*—This Act may be cited as the Education (Local Authorities) Act, 1931, and this Act and the Education Acts, 1921 and 1923, may be cited together as the Education Acts, 1921 to 1931.

### CHAPTER 7.

#### CHINA INDEMNITY (APPLICATION) ACT, 1931.

An Act to make further provision with respect to the application of the China Indemnity Fund and of moneys paid on account of the China Indemnity.  
[3rd March, 1931.]

### CHAPTER 8.

#### UNEMPLOYMENT INSURANCE ACT, 1931.

An Act to raise to ninety million pounds the limit on the amount of the advances by the Treasury to the Unemployment Fund, which may be outstanding during the deficiency period, to amend subsection (2) of section fourteen of the Unemployment Insurance Act, 1927, by further extending to forty-two months the period of twelve months therein mentioned, and to make provision for certain other matters in connection with the extension aforesaid.  
[3rd March, 1931.]

### CHAPTER 9.

#### COLONIAL NAVAL DEFENCE ACT, 1931.

An Act to amend and consolidate the Colonial Naval Defence Acts, 1865 and 1909.  
[3rd March, 1931.]

### CHAPTER 10.

#### CONSOLIDATED FUND (No. 2) ACT, 1931.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two.  
[27th March, 1931.]

### CHAPTER 11.

#### ACQUISITION OF LAND (ASSESSMENT OF COMPENSATION) (SCOTLAND) ACT, 1931.

An Act to amend the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919, relating to the terms on which official arbitrators in Scotland shall hold office.  
[27th March, 1931.]

Be it enacted, etc. :—

1. *Official arbitrators in Scotland not debarred from private practice.*—Subsection (3) of section one of the Acquisition of Land (Assessment of Compensation) Act, 1919, in so far as it prohibits a person appointed to be a member of the panel of official arbitrators for Scotland from engaging by himself or his partner in private practice or business, shall cease to have effect, and the said subsection shall accordingly in its application to Scotland be read and construed as if all the words therein after the word "appointment" were omitted.

2. *Citation.*—This Act may be cited as the Acquisition of Land (Assessment of Compensation) (Scotland) Act, 1931.

### CHAPTER 12.

#### METROPOLITAN POLICE (STAFF SUPERANNUATION AND POLICE FUND) ACT, 1931.

An Act to provide for the granting of compassionate gratuities in respect of officers to whom the Metropolitan Police Staff Superannuation Acts, 1875 and 1885, apply : to permit commutation of certain of the pensions payable in respect of such officers ; and to amend section ten of the Metropolitan Police Act, 1829.  
[27th March, 1931.]

### CHAPTER 13.

#### HOUSE OF COMMONS DISQUALIFICATION (DECLARATION OF LAW) ACT, 1931.

An Act to remove doubts as to the scope of the House of Commons (Disqualification) Act, 1782, and of section four of the House of Commons (Disqualifications) Act, 1801.  
[27th March, 1931.]

Whereas doubts have arisen whether the provisions of the House of Commons (Disqualification) Act, 1782, and section four of the House of Commons (Disqualifications) Act, 1801 (which disable persons concerned in contracts, agreements or commissions made or entered into, with, under or from such persons as are mentioned in the said enactments, for or on account of the public service, from being elected or sitting and voting as members of the Commons House of Parliament) do or do not extend to certain classes of contracts, agreements and commissions :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. *Declaration as to scope of 22 Geo. 3, c. 45 and s. 4 of 41 Geo. 3, c. 52.*—It is hereby declared that the House of Commons (Disqualification) Act, 1782, and (so far as it relates to contracts, agreements or commissions) section four of the House of Commons (Disqualifications) Act, 1801, extend only to contracts, agreements or commissions for the furnishing or providing of money to be remitted abroad or wares and merchandise to be used or employed in the service of the public.

2. *Short title.*—This Act may be cited as the House of Commons Disqualification (Declaration of Law) Act, 1931.

### CHAPTER 14.

#### ARMY AND AIR FORCE (ANNUAL) ACT, 1931.

An Act to provide, during Twelve Months (and, as respects certain places outside the United Kingdom, during Fifteen Months) for the Discipline and Regulation of the Army and Air Force.  
[29th April, 1931.]

## CHAPTER 15.

### YARMOUTH NAVAL HOSPITAL ACT, 1931.

An Act to provide for the reception and detention of certain persons of unsound mind in the Royal Naval Hospital at Great Yarmouth and for the treatment therein of certain voluntary patients; to prohibit the taking of legal proceedings in respect of the reception and detention of any person in the said hospital before the commencement of this Act; and for purposes connected with the matters aforesaid.

[29th April, 1931.]

## CHAPTER 16.

### ANCIENT MONUMENTS ACT, 1931.

An Act to amend the Law relating to ancient monuments.

[11th June, 1931.]

Be it enacted, etc. :—

*Schemes for preserving amenities of ancient monuments.*

#### 1. *Schemes for preserving amenities of ancient monuments.*—

(1) For the purpose of preserving the amenities of any ancient monument, the Commissioners may, subject to the provisions of this section, prepare and confirm a scheme (hereafter in this Act referred to as "a preservation scheme") for any area comprising or adjacent to the site of the monument, being an area to which, in the opinion of the Commissioners, it is necessary or expedient for that purpose that the scheme should apply.

(2) Every preservation scheme shall define by reference to a map annexed thereto the area to which the scheme is applicable (hereafter in this Act referred to as "the controlled area") and may provide for all or any of the following matters, that is to say :—

(a) for prohibiting or restricting the construction, erection or execution of buildings, structures and other works above ground within the controlled area, or the alteration or extension of any such buildings, structures or works in such manner as materially to affect their external appearance;

(b) for prescribing the position, height, size, design, materials, colour and screening, and otherwise regulating the external appearance, of buildings, structures and other works above ground within the controlled area;

(c) for prohibiting or restricting the felling of trees, quarrying and excavations within the controlled area;

(d) for otherwise restricting the user of land within the controlled area to such extent as may appear to the Commissioners to be expedient for the purpose of preserving the amenities of the monument;

(e) for such other matters as appear to the Commissioners to be incidental to or consequential on the foregoing provisions of this section or to be necessary for giving effect to those provisions.

(3) The provisions of the First Schedule to this Act shall have effect with respect to the confirmation, variation and revocation of preservation schemes.

(4) Nothing in any preservation scheme shall affect any building, structure or other work above ground or any alteration or extension thereof, if it was constructed, erected or executed before the date when notice of intention to confirm the scheme was published in the London Gazette under the First Schedule to this Act, and for the purpose of this provision a building, structure or other work and any alteration or extension thereof shall be deemed to have been constructed, erected or executed before that date—

(a) if its construction, erection or execution was begun before that date; or

(b) if and so far as its construction, erection or execution was necessary for the purpose of performing a contract made before that date.

(5) Any person whose property is injuriously affected by the coming into force of a preservation scheme shall be entitled to obtain compensation in respect thereof from the Commissioners, subject to the provisions of the Second Schedule to this Act.

(6) If any person contravenes any provision of a preservation scheme for the time being in force, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the contravention occurs or continues.

(7) If, after any person has been convicted of a contravention of a preservation scheme by reason that any building, structure or other work is not in conformity with the scheme, the contravention continues after the expiration of such period as the court before whom he was convicted may determine, the Commissioners shall have power to do all such acts as, in their opinion, are necessary for removing so much of the building, structure or work as is not in conformity with the scheme, or for making it conform with the scheme, and any expenses incurred by the Commissioners in so doing shall be recoverable summarily as a civil debt from the person convicted.

2. *Power of Commissioners to contribute to expenses of town planning schemes.*—(1) If it appears to the Commissioners that a town planning scheme approved after the commencement of this

Act under the Town Planning Act, 1925, has the effect of preserving to the satisfaction of the Commissioners the amenities of an ancient monument, the Commissioners may defray, either in whole or in part, such part of the expenses incurred by any local authority in connexion with the scheme as, in the opinion of the Commissioners, is attributable to the provisions of the scheme having the effect aforesaid.

(2) In this section the expression "local authority" means a local authority as defined by the Town Planning Act, 1925, or a county council.

#### *Amendments of 3 & 4 Geo. 5, c. 32.*

3. *Extension of powers as respects maintenance of ancient monuments.*—(1) The powers conferred by section four of the principal Act upon the Commissioners and upon local authorities with respect to the maintenance of an ancient monument of which they are the guardians shall, except in so far as may be otherwise expressly provided by the deed constituting the Commissioners or the local authority guardians of the monument, include power to do all such things as may be necessary for the maintenance of the monument and for the exercise of proper control and management with respect thereto by the Commissioners or authority, and in particular (without prejudice to the generality of the foregoing provision or of the provisions of the said section four) power to make any examination of the monument, and to open up the monument or make excavations therein for the purpose of examination or otherwise.

(2) The Commissioners and a local authority shall, for the purpose of exercising any of their powers under the said section four in relation to any ancient monument of which they are the guardians, have access to the monument by any person authorised by them to act on their behalf as well as by themselves, their inspectors, agents, and workmen.

(3) The Commissioners may, in connexion with an ancient monument of which they are not the owners or guardians, undertake, or assist in, or defray or contribute towards the cost of, any work, which, if they were the guardians of the monument, they would be empowered to do by section four of the principal Act and the foregoing provisions of this section :

Provided that—

(a) the Commissioners shall not exercise the powers conferred by this subsection except with the consent of every person whose consent to the work would apart from this subsection be required; and

(b) no expenses shall be incurred by the Commissioners under this subsection in connexion with any monument which is occupied as a dwelling-house by any person other than a person employed as the caretaker thereof or his family.

4. *Amendments as to Preservation Orders.*—(1) Section six of the principal Act shall have effect in relation to any Preservation Order made after the commencement of this Act as if for subsection (3) thereof (which relates to the duration and confirmation of Preservation Orders) there were substituted the following subsections, that is to say :—

"(3) On the making of a Preservation Order the Commissioners shall cause the Order to be published in the London Gazette and a copy of the Order to be fixed on some conspicuous part of the monument, and shall also cause a copy of the Order, together with a notice stating the effect thereof, to be served upon the owner and upon the occupier of the monument.

"(3A) If within three months after the publication of the Order in the London Gazette any person, who appears to the Commissioners to have an interest in the monument, gives notice in writing to the Commissioners that he objects to the Order, the Order shall, if the objection is not withdrawn, cease to have effect upon the expiration of a period of twenty-one months from the making thereof unless it is confirmed by Parliament, but in any other case the Order shall, without confirmation by Parliament, have effect until revoked by an Order made by the Commissioners in like manner as the original Order.

"(3B) Where under the foregoing provisions of this section a Preservation Order ceases to have effect by reason of its not being confirmed by Parliament, no further Preservation Order shall be made in respect of the same monument until after the expiration of five years from the date on which the former Order ceased to have effect."

(2) In subsection (2) of section seven of the principal Act the words "owing to neglect" shall be substituted for the words "owing to the neglect of the owner."

5. *Amendment as to voluntary contributions.*—(1) The Commissioners shall have power under section nine of the principal Act to receive voluntary contributions towards the cost of the maintenance and preservation of any ancient monument, and to enter into any agreement with the owner of any such monument or with any other person as to the maintenance and preservation of the monument and the cost thereof, notwithstanding that the Commissioners are not the owners or guardians of the monument.

(2) For the purpose of the said section, references to the preservation of a monument shall be construed as including references to the preservation of the amenities of the monument.

**6. Amendments as to lists of ancient monuments.]—**(1) Before including any monument in a list published under section twelve of the principal Act after the commencement of this Act, being a monument which was not included in a list published under that section before the commencement of this Act, the Commissioners shall, instead of informing the owner as required by subsection (1) of that section, cause to be served upon the owner of the monument and upon the occupier thereof (if any) a notice in writing of their intention to include the monument in the list.

(2) No person served with a notice under the last foregoing subsection shall, unless and until the monument to which the notice relates ceases to be included in any such list as aforesaid, execute or permit to be executed, except in a case of urgent necessity, any work for the purpose of demolishing, removing or repairing any part of the monument, or of making any alterations or additions thereto, until the expiration of three months after he has given to the Commissioners notice in writing of his intention to do so, and any person acting in contravention of the provisions of this subsection shall be liable on summary conviction to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, or to both.

(3) Where the owner of any monument has been served with a notice under subsection (1) of this section, then (subject to the provisions of the Land Charges Act, 1925, as amended by any subsequent enactment and as applied by this Act) every person subsequently becoming the owner of the monument shall, for the purposes of the last foregoing subsection, be deemed to have been so served.

(4) Subsection (2) of section twelve of the principal Act shall cease to have effect, and for the purposes of subsection (2) of this section the person who, at the commencement of this Act, is the owner of any monument included in any such list as aforesaid which was published before the commencement of this Act, and (subject to the provisions of the Land Charges Act, 1925, as amended by any subsequent enactment and as applied by this Act) every person subsequently becoming the owner of the monument, shall be deemed to have been served with a notice under subsection (1) of this section.

(5) The Commissioners may at any time cause to be served upon the occupier of a monument which is included in any such list as aforesaid, whether published before or after the commencement of this Act, a notice in writing that the monument is so included, and after the service of such a notice upon any such occupier the provisions of subsection (2) of this section shall apply with respect to him as if he had been served with a notice under subsection (1) of this section.

**7. Amendment as to regulations with respect to public access to monuments.]—**(1) The power conferred on the Commissioners and local authorities by section thirteen of the principal Act to prescribe regulations under which the public shall have access to ancient monuments of which the Commissioners or local authorities are the owners or guardians, shall include power to make such regulations as appear to the Commissioners of a local authority, as the case may be, to be necessary for the preservation of the monument or of any property of the Commissioners or local authority, or for prohibiting or regulating any act or thing tending to injury or disfigurement of the monument or the amenities thereof, and without prejudice to the generality of the foregoing provisions, regulations as to the fees to be charged for admission; and the Commissioners shall have power to prescribe such regulations with respect to any monument which is under their control or management, notwithstanding that they are not the owners or guardians thereof.

(2) If any person contravenes or fails to comply with any such regulations, he shall be liable on summary conviction to a fine not exceeding five pounds or to imprisonment for a term not exceeding one month, or to both, and shall also be liable to pay such sum as the court before whom he was convicted may order for the purpose of repairing any damage caused by him.

(3) Regulations made by a local authority under the said section after the commencement of this Act shall not take effect unless they are submitted to and confirmed by the Minister of Health after consultation with the Commissioners, and the Minister of Health may confirm any such regulations either with or without modification.

**8. Dissolution of special incorporation of Commissioners.]—**The corporation of the Commissioners as incorporated for the purposes of the principal Act by subsection (1) of section twenty of that Act is hereby dissolved, and all property, powers, rights and duties vested in and exercised and performed by the Commissioners as a corporation incorporated under that subsection are hereby vested in and may be exercised and performed by the Commissioners as the corporation confirmed by the Works and Public Buildings Act, 1874.

#### Miscellaneous Provisions.

**9. Power of Commissioners to enter upon lands.]—**(1) Subject as hereinafter provided, any person specially authorised in writing in that behalf by the Commissioners, after giving not less than fourteen days' notice in writing to the occupier of his intention so to do and on production of his authority if so required by or on behalf of the occupier, may enter for the purposes of investigation at all reasonable times upon any land which the Commissioners have reason to believe contains an ancient monument, and may make excavations in the land for the purposes of examination:

Provided that—

(a) no person shall, under the powers conferred by this section, enter any dwelling-house or any building, park, garden, pleasure ground or other land used for the amenity or convenience of a dwelling-house except with the consent of the occupier; and

(b) no excavation shall be made under the said powers except with the consent of every person whose consent to the making of the excavation would, apart from this section, be required.

(2) If any person wilfully obstructs or hinders any person duly authorised by the Commissioners in the exercise of the powers conferred by this section, he shall be liable on summary conviction to a fine not exceeding five pounds.

**10. Service of documents.]—**(1) Every document, required or authorised to be served under section six of the principal Act, or under this Act, upon the owner or occupier of an ancient monument, may be served either by delivering it or leaving it at the usual or last-known place of abode of the person on whom it is to be served, or by sending it by post as a registered letter addressed to him at his last-known place of abode or, if that cannot be found, by fixing it on some conspicuous part of the monument.

(2) Any such document may, as the case requires, be addressed to the "owner" or "occupier" of the monument (describing it) without further name or description.

**11. Registration of land charges created with respect to ancient monuments.]—**As from the commencement of this Act, the provisions of the Land Charges Act, 1925, as amended by any subsequent enactment, shall apply to the following instruments as if they were local land charges, that is to say:—

(a) any deed or order, whether executed or made before or after the commencement of this Act, constituting the Commissioners or a local authority guardians of an ancient monument; and

(b) any preservation scheme or notice of intention to confirm such a scheme; and

(c) any Preservation Order, whether made before or after the commencement of this Act; and

(d) any notice served on the owner of a monument, being a notice of intention to include the monument in a list published after the commencement of this Act under section twelve of the principal Act, and any entry in a list published before the commencement of this Act under that section, recording the inclusion of a monument in that list;

and every such instrument shall be registered accordingly by the proper officer of the council of every county borough, county district or metropolitan borough comprising any part of the land affected by the instrument and, in a case where any part of that land is comprised in the City of London, by the proper officer of the Common Council:

Provided that nothing in the foregoing provisions of this section shall operate so as to impose any obligation to register any such instrument executed, made or served before the commencement of this Act until the expiration of three years from the commencement of this Act, or so as to discharge a purchaser from liability in respect of any such instrument which is not for the time being required to be registered.

**12. Application of Documentary Evidence Acts to documents issued by Commissioners.]—**The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Commissioners as if they were mentioned in the first column of the Schedule to the first-mentioned Act, and as if any of the Commissioners or the Secretary to the Commissioners, or any person authorised to act on behalf of the Secretary, were specified in the second column of that Schedule in connexion with the Commissioners, and as if the regulations referred to in those Acts included any document issued by the Commissioners under the principal Act or this Act.

#### Supplemental.

**13. Expenses of Commissioners.]—**All expenses incurred by the Commissioners under this Act shall be defrayed out of moneys provided by Parliament.

**14. Exemption of instruments from stamp duty.]—**No stamp duty shall be chargeable on any instrument made by, to, or with the Commissioners for the purposes of the principal Act or this Act.

**15. Interpretation.]—**(1) The definitions contained in section twenty-two of the principal Act of the expressions "monument"



and "ancient monument" shall cease to have effect, and for the purposes of the principal Act and this Act—

(a) the expression "monument" shall include any building, structure, or other work, whether above or below the surface of the land, other than an ecclesiastical building for the time being used for ecclesiastical purposes, and any cave or excavation;

(b) the expression "ancient monument" shall include—

(i) any monument specified in the Schedule to the Ancient Monuments Protection Act, 1882; and

(ii) any monument for the time being specified in a list published under section twelve of the principal Act; and

(iii) any other monument or group of monuments and any part or remains of a monument or group of monuments which in the opinion of the Commissioners is of a like character, or of which the preservation is, in the opinion of the Commissioners, a matter of public interest by reason of the historic, architectural, traditional, artistic or archaeological interest attaching thereto;

and, for the purposes of Parts I. and II. and sections nine and ten of the principal Act (which relate respectively to the acquisition of ancient monuments by agreement, to the guardianship of ancient monuments, to the power to receive voluntary contributions for maintenance of ancient monuments and to the transfer of ancient monuments under guardianship), the expression "ancient monument" shall include any land comprising or adjacent to an ancient monument as hereinbefore defined which, in the opinion of the Commissioners or the local authority, as the case may be, is reasonably required for the purpose of maintaining the monument or the amenities thereof, or for providing or facilitating access thereto, or for the exercise of proper control or management with respect thereto.

(2) The provisions of subsection (3) of section four of the principal Act relating to the matters which are included in the expressions "maintenance" and "maintain" shall apply for all the purposes of that Act and of this Act.

(3) For the purposes of this Act and of section six and subsection (3) of section fourteen of the principal Act, the expression "owner" in relation to a monument shall mean any person (other than a mortgagee not in possession) entitled (either with or without the consent of any other person) to dispose of the fee simple of the site of the monument.

(4) In this Act the expression "the Commissioners" means the Commissioners of Works, and the expression "the principal Act" means the Ancient Monuments Consolidation and Amendment Act, 1913.

**16. Special provisions as to Scotland.**—(1) For the purpose of the application of this Act to Scotland, the Secretary of State shall be substituted for the Minister of Health; the Town Planning (Scotland) Act, 1925, shall be substituted for the Town Planning Act, 1925; the Edinburgh Gazette shall be substituted for the London Gazette.

(2) For the purposes of this Act and of section six and subsection (3) of section fourteen of the principal Act the expression "owner" in relation to a monument situate in Scotland, shall include institute or heir of entail in possession.

(3) For the purposes of the principal Act the expression "freehold or copyhold land," in relation to land in Scotland, means land held in fee simple.

(4) In the application to Scotland of section two of this Act the expression "local authority" means a local authority for the purposes of the Town Planning (Scotland) Act, 1925, as amended by the Local Government (Scotland) Act, 1929.

(5) Section eleven of this Act shall not apply in relation to an ancient monument situated in Scotland or to a preservation scheme for an area in Scotland, but it shall be competent to register in the appropriate register of sasines any of the following instruments relating to any such monument which is heritable or to any such area, that is to say—

(a) any deed or order whether executed or made before or after the commencement of this Act constituting the Commissioners or a local authority the guardians of the monument; or

(b) any preservation scheme or notice of intention to confirm such a scheme; or

(c) any Preservation Order, whether made before or after the commencement of this Act; or

(d) a certificate by the Commissioners

(i) of the inclusion of the monument in a list published before the commencement of this Act under section twelve of the principal Act; or

(ii) of the service on the owner of the monument of a notice of intention to include the monument in such a list published after the commencement of this Act; or

(e) any deed or order revoking or cancelling any such instrument as aforesaid, or a copy of such deed or order certified by the Commissioners, or a certificate by the Commissioners that any such instrument has ceased to have effect.

(6) Any such instrument as is mentioned in the preceding subsection shall, whether registered in pursuance of the said subsection or not, be binding on any subsequent owner of the monu-

ment or of land in the area to which a preservation scheme applies, and the provisions of the principal Act and of this Act shall apply to such subsequent owner in like manner in all respects as if he had been the owner at the time when the instrument was executed or made.

(7) In the application to Scotland of section six of this Act, any reference to the provisions of the Land Charges Act, 1925, shall not apply.

(8) Subsection (1) of section twenty-three of the principal Act (which requires duplicates of reports made to the Commissioners to be forwarded to the Board of Trustees for National Galleries in Scotland) shall cease to have effect, and subsection (2) of the said section shall have effect as if the words "Royal or Parliamentary" were omitted therefrom.

**17. Short title, construction, repeal and extent.**—(1) This Act may be cited as the Ancient Monuments Act, 1931, and the principal Act and this Act may be cited together as the Ancient Monuments Acts, 1913 and 1931.

(2) Except where the context otherwise requires, references in this Act to the principal Act shall be construed as references to that Act as amended by this Act, and this Act shall be construed as one with the principal Act.

(3) The provisions of the principal Act specified in the Third Schedule to this Act are hereby repealed.

(4) This Act shall not extend to Northern Ireland.

## SCHEDULES.

### FIRST SCHEDULE.

#### [Section 1.]

#### PROVISIONS AS TO CONFIRMATION, VARIATION AND REVOCATION OF PRESERVATION SCHEMES.

1. Before confirming a preservation scheme (hereafter in this Schedule referred to as a "scheme"), the Commissioners shall cause to be published in the London Gazette, and in such other manner as they think best for informing persons affected, notice of their intention to confirm the scheme, of the place where copies thereof may be inspected, and of the time (which shall not be less than three months) within which and the manner in which representations with respect to the scheme may be made, and shall cause such notice as aforesaid to be given to every local authority whose area comprises any part of the controlled area.

2. Any person affected by the scheme may, within the time appointed under the last foregoing paragraph for making representations, send to the Commissioners written objection to the scheme stating the specific grounds of objection and the specific modifications required.

3. The Commissioners, after considering any representations and objections duly made with respect to a scheme, and after consulting the Minister of Health and the Minister of Transport, may by order confirm the scheme either with or without modifications:

Provided that—

(a) where an objection has been duly made to the scheme by any person appearing to the Commissioners to be affected thereby and has not been withdrawn, the Commissioners, unless they consider the objection to be frivolous or have modified the scheme as required by the objection, shall, before confirming the scheme, direct a public inquiry to be held as hereinafter provided and consider the report of the person who held the inquiry; and

(b) a scheme as so confirmed shall not apply to any area to which it would not have applied if it had been confirmed without modification.

4. Any inquiry under this Schedule shall be held in accordance with rules made by the Commissioners for the purpose, and such rules may contain provisions as to the costs of the inquiry.

5. A scheme when so confirmed shall come into force on such date as may be specified in the order confirming it.

6. A scheme may be varied or revoked by a subsequent scheme, and the Commissioners may, after consulting the Minister of Health, by order revoke a scheme if they think in the circumstances that the scheme ought to be revoked.

7. As soon as practicable after the making of an order under this Schedule confirming or revoking a scheme, the order shall be published in the London Gazette, and in such other manner as the Commissioners think best for informing persons affected, and a copy of the order shall be sent to every local authority whose area comprises any part of the controlled area.

8. In this Schedule the expression "local authority" means, in England, the council of a county, county borough, county district or metropolitan borough or the Common Council of the City of London or, in Scotland, any county or town council.

### SECOND SCHEDULE.

#### [Section 1.]

#### PROVISIONS AS TO COMPENSATION.

1. No person shall be entitled to compensation in respect of a preservation scheme unless within three months from the date on

which the scheme comes into force, or within such further time as the Commissioners may in special circumstances allow, he makes a claim for the purpose in such manner as the Commissioners may by regulations prescribe.

2. A person shall not be entitled to compensation by reason of the fact that any act or thing done or caused to be done by him has been rendered abortive by a preservation scheme, if or so far as the act or thing was done after the date on which the Commissioners published in the London Gazette notice of their intention to confirm the scheme, or by reason of the fact that the performance of any contract made by him after that date is prohibited by the scheme.

3. Where any provision of a preservation scheme was immediately before the scheme came into force, already in force by virtue of this or any other Act, no compensation shall be payable by reason of any property being injuriously affected by that provision of the preservation scheme if compensation has been paid, or could have been claimed, or was not payable, by reason of that property having been injuriously affected by the provision already in force.

4. Where any provision of a preservation scheme could, immediately before the scheme came into force, have been validly included in a scheme, order, regulation or byelaw by virtue of any other Act, then—

(a) if no compensation would have been payable by reason of the inclusion of that provision in that scheme, order, regulation or byelaw, no compensation shall be payable in respect of that provision of the preservation scheme; and

(b) if compensation would have been so payable, the compensation payable in respect of that provision of the preservation scheme shall not be greater than the compensation which would have been so payable.

5. Any dispute as to whether any property is injuriously affected by a preservation scheme, or as to the amount of the sum which is to be paid as compensation in respect of such a scheme, shall be determined by arbitration under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919.

#### THIRD SCHEDULE.

[Section 17.]

#### PROVISIONS OF PRINCIPAL ACT REPEALED.

In subsection (3) of section four the words "in this section."

In subsection (1) of section twelve, the words from "and the Commissioners" to the end of the subsection, and subsection (2) of that section.

Section nineteen.

In section twenty the words "shall be a body corporate by that name and shall have perpetual succession and a common seal," and "

Section twenty-two.

Subsection (1) of section twenty-three, and in subsection (2) of that section the words "Royal or Parliamentary."

### CHAPTER 17.

#### LOCAL AUTHORITIES (PUBLICITY) ACT, 1931.

An Act to confer upon local authorities powers for promoting the publicity throughout the world of the amenities and advantages of the British Isles. [11th June, 1931.]

Be it enacted, etc. :—

1. *Power to contribute to organisations for making known the amenities of the British Isles.*—(1) Subject to the provisions of this Act, any local authority in Great Britain may contribute to any organisation, approved in England and Wales by the Minister of Health and in Scotland by the Secretary of State, established for collecting and collating information in regard to the amenities and advantages of the British Isles or any part thereof, whether commercial, historical, scenic, recreational, curative or climatic, and for disseminating that information outside the British Isles :

Provided that the expenditure of any local authority under this Act shall not, in any one year, exceed the amount which would be produced by a rate of one halfpenny in the pound levied on the rateable value of the area of the authority.

(2) In this Act the expression "local authority" means the council of any borough (including a metropolitan borough) and of any urban district, and in Scotland means a town council.

(3) The expenditure incurred by a local authority under this Act shall be defrayed as expenditure incurred in the execution of the Public Health Act, 1875, or of the Public Health (London) Act, 1891, as the case may be, and in Scotland shall be defrayed out of such rate leviable by the local authority and payable by owners and occupiers in equal proportions as the authority may determine.

2. *Short title.*—This Act may be cited as the Local Authorities (Publicity) Act, 1931.

### CHAPTER 18.

#### WORKMEN'S COMPENSATION ACT, 1931.

An Act to amend subsection (4) of section nine of the Workmen's Compensation Act, 1925. [11th June, 1931.]

Be it enacted, etc. :—

1. *Amendment of 15 & 16 Geo. 5, c. 84, s. 9 (4).*—(1) Subsection (4) of section nine of the Workmen's Compensation Act, 1925, is hereby repealed, and the following subsection shall be substituted therefor :—

"(4) If a workman who has so far recovered from the injury as to be fit for employment of a certain kind has failed to obtain employment and it appears to the county court judge either—

(i) that, having regard to all the circumstances, it is probable that the workman would, but for the continuing effects of the injury, be able to obtain work in the same grade in the same class of employment as before the accident; or

(ii) that his failure to obtain employment is a consequence, wholly or mainly, of the injury,

the judge shall order that the workman's incapacity shall be treated as total incapacity resulting from the injury for such period, and subject to such conditions, as may be provided by the order, without prejudice, however, to the right of review conferred by this Act :

Provided that—

(i) no order shall be made under this subsection if it appears to the judge that the workman has not taken all reasonable steps to obtain employment; and

(ii) every such order shall be made subject to the condition that it shall cease to be in force if the workman receives unemployment benefit."

(2) As from the passing of this Act the provisions of the subsection so substituted as aforesaid shall apply in any case where the accident happened on or after the first day of January, nineteen hundred and twenty-four, and an application for weekly payments to be reviewed in accordance with those provisions may be made, notwithstanding that there has not been any change in the condition of the workman or any change of circumstances other than the passing of this Act.

2. *Short title.*—This Act may be cited as the Workmen's Compensation Act, 1931, and the Workmen's Compensation Acts, 1925 to 1930, and this Act may be cited together as the Workmen's Compensation Acts, 1925 to 1931.

### CHAPTER 19.

#### WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS ACT, 1931.

An Act to amend section one of the Widows', Orphans' and Old Age Contributory Pensions Act, 1929, so as to define for the purposes of the said section one the meaning of the expression "normal occupation," and so as to entitle to widows' pensions the widows of men who attained the age of seventy on or before the fifteenth day of July, nineteen hundred and twelve, and died on or after the fourth day of January, nineteen hundred and twenty-six, and whose normal occupation was at some time within three years before the date on which they attained the said age of a certain kind; and for purposes consequential upon the purposes aforesaid. [11th June, 1931.]

### CHAPTER 20.

#### POST OFFICE AND TELEGRAPH (MONEY) ACT, 1931.

An Act to provide for raising further money for the development of the postal, telegraphic and telephonic systems. [11th June, 1931.]

### CHAPTER 21.

#### PALESTINE AND EAST AFRICA LOANS (AMENDMENT) ACT, 1931.

An Act to amend subsection (2) of section one of the Palestine and East Africa Loans Act, 1926. [11th June, 1931.]

### CHAPTER 22.

#### HOUSING (RURAL WORKERS) AMENDMENT ACT, 1931.

An Act to make provision for the extension of the time within which applications for assistance under the Housing (Rural Workers) Act, 1926, may be received by local authorities. [8th July, 1931.]

Be it enacted, etc. :—

1. *Extension of time for applying for assistance under s. 2 of 16 & 17 Geo. 5, c. 56.*—(1) Subsection (2) of section two of the



Housing (Rural Workers) Act, 1926 (which relates to the power of local authorities to make grants or loans under the said Act), shall have effect as if the first day of October, nineteen hundred and thirty-six, were therein substituted for the first day of October, nineteen hundred and thirty-one, and section four of the said Act (which relates to the Government contributions to expenses of local authorities under the said Act) shall have effect accordingly.

(2) Subject to the provisions of any amending scheme made by a local authority with the approval of the Minister any reference in a scheme under the said Act to any date in the year nineteen hundred and thirty-one shall be construed as a reference to the corresponding date in the year nineteen hundred and thirty-six.

**2. Title and construction.**—This Act may be cited as the Housing (Rural Workers) Amendment Act, 1931, and shall be construed as one with the Housing (Rural Workers) Act, 1926, and that Act and this Act may be cited together as the Housing (Rural Workers) Act, 1926 and 1931.

## CHAPTER 23.

### MINING INDUSTRY (WELFARE FUND) ACT, 1931.

An Act to extend the period during which payments are to be made to the fund constituted under section twenty of the Mining Industry Act, 1920. [8th July, 1931.]

## CHAPTER 24.

### SENTENCE OF DEATH (EXPECTANT MOTHERS) ACT, 1931.

An Act to prohibit the passing of the sentence of death upon expectant mothers, and for other purposes connected therewith. [8th July, 1931.]

Be it enacted, etc. :—

**1. Sentence of death not to be passed on pregnant woman.**—Where a woman convicted of an offence punishable with death is found in accordance with the provisions of this Act to be pregnant, the sentence to be passed on her shall be a sentence of penal servitude for life instead of sentence of death.

**2. Procedure where woman convicted of capital offence alleges she is pregnant.**—(1) Where a woman convicted of an offence punishable with death alleges that she is pregnant, or where the court before whom a woman is so convicted thinks fit so to order, the question whether or not the woman is pregnant shall, before sentence is passed on her, be determined by a jury.

(2) Subject to the provisions of this subsection, the said jury shall be the trial jury, that is to say the jury to whom she was given in charge to be tried for the offence, and the members of the jury need not be resworn :

Provided that—

(a) if any member of the trial jury, either before or after the conviction, dies or is discharged by the court as being through illness incapable of continuing to act or for any other cause, the inquiry as to whether or not the woman is pregnant shall proceed without him; and

(b) where there is no trial jury, or where a jury have disagreed as to whether the woman is or is not pregnant, or have been discharged by the court without giving a verdict on that question, the jury shall be constituted as if to try whether or not she was fit to plead, and shall be sworn in such manner as the court may direct.

(3) The question whether the woman is pregnant or not shall be determined by the jury on such evidence as may be laid before them either on the part of the woman or on the part of the Crown, and the jury shall find that the woman is not pregnant unless it is proved affirmatively to their satisfaction that she is pregnant.

(4) Where on proceedings under this section the jury find that the woman in question is not pregnant, the woman may appeal under the Criminal Appeal Act, 1907, to the Court of Criminal Appeal, and that Court, if satisfied that for any reason the finding should be set aside, shall quash the sentence passed on her and instead thereof pass on her a sentence of penal servitude for life.

(5) The rights conferred by this section on a woman convicted of an offence punishable with death shall be in substitution for the right of such a woman to allege in stay of execution that she is quick with child and the last-mentioned right shall cease as from the commencement of this Act.

**3. Short title and extent.**—(1) This Act may be cited as the Sentence of Death (Expectant Mothers) Act, 1931.

(2) This Act shall not apply to Scotland or Northern Ireland.

## CHAPTER 25.

### UNEMPLOYMENT INSURANCE (No. 2) ACT, 1931.

An Act to raise to one hundred and fifteen million pounds the limit on the amount of the advances by the Treasury to the Unemployment Fund which may be outstanding during the deficiency period,

to amend subsection (2) of section fourteen of the Unemployment Insurance Act, 1927, by further extending to forty-eight months the period of twelve months therein mentioned, and to make provision for certain other matters in connection with the extension aforesaid. [8th July, 1931.]

## CHAPTER 26.

### MAURITIUS LOAN (GUARANTEE) ACT, 1931.

An Act to authorise the Treasury to guarantee a loan to be raised by the Government of Mauritius, and the making of advances out of moneys provided by Parliament for the payment of the annual charges in respect of the loan for a limited period.

[8th July, 1931.]

## CHAPTER 27.

### COAL MINES ACT, 1931.

An Act to remove for a period not exceeding one year the limitation upon the number of days on which the hours of employment below ground in coal mines may be extended under section three of the Coal Mines Regulation Act, 1908; to restrict the duration of such extensions to half an hour on any one day, and to provide for the maintenance during the period aforesaid of minimum percentage additions to basis rates of wages and of subsistence rates of wages. [8th July, 1931.]

## CHAPTER 28.

### FINANCE ACT, 1931.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connection with finance. [31st July, 1931.]

## CHAPTER 29.

### APPROPRIATION ACT, 1931.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and thirty-two, and to appropriate the Supplies granted in this Session of Parliament.

[31st July, 1931.]

## CHAPTER 30.

### PROBATION OF OFFENDERS (SCOTLAND) ACT, 1931.

An Act to amend the law relating to Probation of Offenders in Scotland. [31st July, 1931.]

Be it enacted, etc. :—

**1. Probation officers.**—(1) For the purposes of the Probation of Offenders Act, 1907 (in this Act referred to as "the principal Act"), one or more salaried probation officers shall be appointed for every probation area, and it shall be the duty of such probation officers to undertake the supervision of persons in respect of whom supervision is required by a probation order whether made by a court of summary jurisdiction, by the sheriff, or by the High Court of Justiciary :

Provided that this subsection shall not apply in any probation area where it is shown to the satisfaction of the Secretary of State that no salaried probation officer is necessary.

(2) The probation committee of a probation area shall pay such sums by way of salary or remuneration to the salaried probation officers appointed for the area and the probation committee may pay to such probation officers, and to any voluntary probation officers named in the probation orders made by the sheriff or by any court of summary jurisdiction in the area or made by the High Court of Justiciary in respect of persons who have been committed for trial in the area, such sums on account of expenses incurred by those officers in the performance of their duties as, subject to the provisions of this Act with respect to scales of salaries, remuneration and expenses, may be agreed upon between the committee and the local authority concerned, or, failing agreement, may be determined by the Secretary of State.

(3) (a) For the purposes of the Local Government and other Officers' Superannuation Act, 1922, a salaried probation officer for any probation area shall be deemed to be an officer in the permanent service of the local authority for the area occupying a post which the local authority may designate as an established post for the said purposes;

(b) In the application of the last foregoing paragraph to a probation area which comprises in whole or in part the areas of two or more local authorities there shall be substituted for the local authority for the area—

(i) in the case where the aforesaid Act of 1922 applies to only one of such authorities, that authority;

(ii) in the case where the said Act applies to more than one of such authorities, such one of the authorities to whom the Act applies as may be agreed between them or, failing agreement, be determined by the Secretary of State;

(c) Any equivalent contribution under section eighteen of the aforesaid Act of 1922 which is payable in pursuance of this subsection in respect of a salaried probation officer for any probation area shall be paid by the probation committee for the area and shall be included among the expenses to which subsection (1) of section six of this Act applies;

(d) References in this subsection to the Local Government and other Officers' Superannuation Act, 1922, and to the equivalent contribution under section eighteen thereof, shall be deemed to include, respectively, references to any provisions in a local Act or in any scheme thereunder relating to the superannuation of the officers or servants of a local authority and to any payment in pursuance of such provision or of any scheme thereunder similar to the said equivalent contribution. Provided that for the purposes of any such Act or scheme which contains no provision for the designation of posts as established posts a salaried probation officer shall be deemed to be an officer or servant of the local authority if the local authority so determine.

(4) In addition and without prejudice to the provisions of section four of the principal Act (which relates to the duties of probation officers) it shall be the duty of a probation officer, subject to the discretion of the court, to perform such other duties in connection with the probation of offenders as may be prescribed.

**2. Probation areas.**—(1) Subject as hereinafter provided, each large burgh and each county inclusive of every small burgh situate therein shall be a probation area:

Provided that—

(i) for the purposes of this subsection the counties of Perth and Kinross shall be deemed to be one county and the counties of Moray and Nairn shall be deemed to be one county; and

(ii) The Secretary of State, if the circumstances seem to him to render such a course expedient, may by Order direct that any two or more of the areas aforesaid be combined, in whole or in part, to form one probation area or that any county (including as aforesaid) shall be divided into two or more probation areas.

(2) Before making any order under the immediately preceding subsection, the Secretary of State shall give to each sheriff having jurisdiction in any part of the area to which the proposed order will apply, and to the local authority of any county or burgh to which the proposed order will apply, an opportunity of making any representations which they may desire to make with respect to the proposed order.

(3) In this section the expression "sheriff" does not include sheriff substitute.

**3. Probation committees.**—(1) There shall be a probation committee for every probation area.

(2) The probation committee shall consist (in addition to the members ex officio under the next succeeding subsection) of such number of persons as may be prescribed (not being less than five nor, except where, in the opinion of the Secretary of State, the circumstances of the area otherwise require, more than fifteen), and such persons (of whom at least one shall be a woman) shall be appointed, in accordance with rules made by the Secretary of State, by the local authority for the probation area or, where the probation area comprises in whole or in part the areas of two or more local authorities, by these local authorities.

(3) The sheriff of each county wholly or partly comprised in a probation area, and any one or more sheriffs substitute having jurisdiction in any such county whom the sheriff may nominate for the purpose, shall be members ex officio of the probation committee for that area.

(4) It shall be the duty of the probation committee for a probation area—

(a) To appoint, subject to the approval of the Secretary of State, salaried probation officers for the probation area;

(b) to supervise the work and receive the reports of probation officers;

(c) to comply with any rules made under this Act so far as relating to probation committees; and

(d) to perform such other duties in connection with the probation of offenders as may be prescribed or as the Secretary of State may by order direct.

**4. Selection of probation officers.**—(1) Where a court makes a probation order, it may, as in its discretion it shall think fit, nominate a salaried or a voluntary probation officer, or a salaried and a voluntary probation officer to act jointly, and any salaried probation officer so nominated shall, where the probation order is made by the sheriff or by a court of summary jurisdiction, be

selected from among the probation officers for the probation area in which the order is made and, where the probation order is made by the High Court of Justiciary, be selected from among the probation officers appointed for the probation area in which the offender was committed for trial:

Provided that—

(a) if the court making the order thinks it desirable so to do, having regard to the place of residence of the offender or for any other special reason, the court may nominate as the salaried probation officer to act under the order either alone or jointly with a voluntary probation officer a salaried probation officer for any other probation area.

(2) Where the circumstances permit, the court shall nominate a probation officer who is a woman to supervise an offender who is a woman and a probation officer experienced in dealing with children or young persons to supervise an offender who is under the age of seventeen years.

(3) The court by which a probation order has been made shall, where the probation officer named in the probation order dies or is unable for any reason to carry out his duties, or where the court for any reason considers it desirable that another probation officer should be nominated in the place of the officer named in the order, nominate another probation officer to act under the order.

**5. Provision as to employment of certain persons as probation officers.**—(1) It shall be lawful to appoint as a salaried probation officer for any area or to nominate in a probation order as a voluntary probation officer a person who is the agent of a voluntary society.

(2) In this section the expression "voluntary society" means a society carrying on mission work in connection with police courts or other work in connection with the supervision and care of offenders or in connection with social service.

(3) It shall not be lawful to appoint as a salaried probation officer for any area or to nominate in a probation order as a voluntary probation officer a person who is or has at any time been a member of a police force.

**6. Salaries and expenses.**—(1) The sums required to meet—

(a) any expenses incurred by a probation committee in respect of (i) the salaries or remuneration payable to salaried probation officers, and (ii) expenses of probation officers; and

(b) any other expenses of a probation committee which may be incurred in accordance with rules made by the Secretary of State shall be defrayed, in accordance with the rules so made, by the local authority for the probation area:

Provided that, where a probation area comprises in whole or in part the areas of two or more local authorities, the sums to be defrayed as aforesaid by the local authority shall be apportioned between the several local authorities in such manner as may be agreed upon between them or, in default of agreement, according to the rateable valuation in the valuation roll of the respective areas of the local authorities so far as within the probation area.

(2) It shall be lawful for a local authority to contribute towards the expenses of maintaining persons who have been released on a probation order containing a condition as to residence and towards any travelling expenses incurred in respect of such persons.

(3) There shall be paid out of moneys provided by Parliament towards the expenditure of local authorities under this Act, including any contribution under the immediately preceding subsection, such sums as the Secretary of State with the approval of the Treasury may direct and subject to such conditions as he may with the like approval determine.

**7. Exercise of powers of courts with regard to offenders.**—

(1) Any power exercisable by a court with regard to an offender bound by a bond to appear before such court for conviction and sentence or for sentence may be exercised by any court before which the offender is charged with the commission of another offence, or which has jurisdiction in the place where the offender for the time being resides, provided that where the court before which the offender is so bound to appear is the High Court of Justiciary or a sheriff court, such power as aforesaid shall not be exercisable by any court of summary jurisdiction other than the sheriff court.

(2) Any power which a court is empowered to exercise on being satisfied that an offender has failed to observe any conditions of his bond (other than a power to vary the terms of the bond or to nominate another probation officer) may be exercised notwithstanding that the period of duration of the bond has expired.

**8. Amendments of Act of 1907 as to powers of courts, &c.**—

(1) Section one of the principal Act shall have effect as if there were substituted in subsections (1) and (2) of the said section for the words "release the offender on probation" the words "deal with the offender in the manner hereinafter set forth."

(2) Section one of the principal Act shall have effect as if the following subsection were substituted for subsection (3):—

"(3) The court where it makes an order under this section—

(a) may further order that the offender, or the parent or guardian of an offender being a child or a young person, shall

pay the costs of the proceedings or such damages for injury or compensation for loss (not exceeding, in the case of a court of summary jurisdiction, ten pounds, or, if a higher limit is fixed by any enactment relating to the offence, that higher limit) as the court thinks reasonable or both such costs and damages or compensation;

(b) may further, in the case where the offender is a child or young person, impose a fine on the parent or guardian of the child or young person;

Provided that the court shall not order payment of any costs, damages, compensation or fine by a parent or guardian unless it is satisfied that the parent or guardian has conducted to the commission of the offence by neglecting to exercise due care of the child or young person."

(3) A person in respect of whom an order has been made by a court of summary jurisdiction under subsection (1) of section one of the principal Act shall have the like right of appeal against such order as in the case of a conviction.

(4) The period of supervision to be specified in a probation order shall be not less than one year and accordingly subsection (1) of section two of the principal Act shall have effect as if after the word "period" there were inserted the words " (which shall not be less than one year)."

(5) The court before which an offender is bound by his bond to appear for conviction and sentence or for sentence, if satisfied by information on oath that the offender has failed to observe any of the conditions of his bond—

(a) may, without the necessity of summoning the offender or his cautioners (if any) to appear before it, vary the terms of the bond by extending the duration thereof, provided that the duration of a bond shall not exceed three years from the date of the original order and that the obligation of any cautioner shall not be extended except with his consent;

(b) may, instead of sentencing the offender for the original offence and without prejudice to the continuance in force of the bond, or to any variation of the terms thereof in pursuance of the immediately preceding paragraph, impose on him in respect of such failure a penalty not exceeding ten pounds, and, where the offender is a child or young person, order that the fine be paid by the parent or guardian of the child or young person.

(6) Where it is proved to the satisfaction of the court before which an offender is bound by his bond to appear for conviction and sentence or for sentence that the offender has failed to observe any of the conditions of his bond, and where it appears to the court that the offender is not less than sixteen nor more than twenty-one years of age, and where the court is of opinion having regard to the whole circumstances of the case that the offender should be so dealt with, the court may pass a sentence of detention for a term of not less than two years nor more than three years in an institution established in Scotland under Part I of the Prevention of Crime Act, 1908, provided that where the court is a court of summary jurisdiction other than the sheriff court, it shall in lieu of the power to pass such sentence as aforesaid have power to remit the offender to the sheriff court in manner provided by section nine of the Summary Jurisdiction (Scotland) Act, 1908, and the sheriff court shall on such remit being made have the like power in regard to such offender as if he had been bound to appear before that court for conviction and sentence or for sentence.

**9. Power to make rules.**—The Secretary of State may make rules for carrying this Act into effect and in particular—

(a) for prescribing, subject to the provisions of this Act, the constitution, procedure, powers and duties of probation committees and the tenure of office of the members thereof;

(b) for fixing scales of salaries and remuneration to be paid in the case of salaried probation officers and of the expenses to be allowed to those officers and to voluntary probation officers and for regulating any other expenditure of probation committees;

(c) for prescribing the qualifications of salaried probation officers and the terms and conditions on which they shall hold their appointments, and, subject to the provisions of this Act, the duties of probation officers;

(d) for requiring probation committees to furnish reports with respect to the probation of offenders in their area;

(e) for empowering local authorities to appoint the officials (other than probation officers) of probation committees;

(f) for the auditing of the accounts of probation committees;

(g) for prescribing anything which under this Act is to be prescribed.

**10. Local authorities and expenses.**—The local authority for the purposes of this Act shall be, in the case of a large burgh, the town council thereof, and in the case of a county, including every small burgh situate therein, the county council, and any expenses incurred by a county or town council under this Act shall be defrayed out of such rate payable by owners and occupiers in equal proportions as the council may determine.

**11. Construction.**—(1) In this Act, unless the context otherwise requires, "large burgh" and "small burgh" have the like meaning as in the Local Government (Scotland) Act, 1929;

"probation officer" includes salaried probation officer and voluntary probation officer; "salaried probation officer" means a probation officer appointed under section three of this Act, whether he is or is not restricted by the terms of his appointment from engaging in other business or employment; "voluntary probation officer" means a person (other than a salaried probation officer) named in a probation order as a person under whose supervision the offender is to be; "child" means a person under the age of fourteen years; "young person" means a person who is not less than fourteen nor more than seventeen years of age; "committed for trial" means committed until liberation in due course of law; and any reference to a probation order made by the sheriff shall be construed as a reference to a probation order made by the sheriff sitting with a jury.

(2) This Act and the principal Act as it applies to Scotland shall be construed as one.

(3) Unless the context otherwise requires, any reference in this Act to any statutory provision shall be construed as a reference to the statutory provision as amended by any subsequent Act, including this Act.

**12. Citation, commencement and repeal.**—(1) This Act may be cited as the Probation of Offenders (Scotland) Act, 1931, and shall extend to Scotland only.

(2) This Act shall come into operation on the first day of January, nineteen hundred and thirty-two.

(3) The provisions of the principal Act specified in the Schedule to this Act are hereby repealed.

#### SCHEDULE.

[Section 12.]

#### PROVISIONS OF PRINCIPAL ACT REPEALED.

Subsections (2) to (6) of section three. In section eight, paragraphs (1), (2), (3) and (5), and in paragraph (4) all the words after "recognizance."

### CHAPTER 31.

#### MARRIAGE (PROHIBITED DEGREES OF RELATIONSHIP) ACT, 1931.

An Act to amend the Law relating to the marriage of persons with their nephew or niece by marriage. [31st July, 1931.]

Be it enacted, etc. :—

**1. Marriage with certain persons not to be void as a civil contract except in certain cases.**—(1) Section one of the Deceased Wife's Sister's Marriage Act, 1907 (hereinafter referred to as "the principal Act"), shall have effect as if there were inserted therein after the words "or between a man and his deceased brother's widow" the words "or between a man and any of the following persons; that is to say :—

- "(1) his deceased wife's brother's daughter;
- "(2) his deceased wife's sister's daughter;
- "(3) his father's deceased brother's widow;
- "(4) his mother's deceased brother's widow;
- "(5) his deceased wife's father's sister;
- "(6) his deceased wife's mother's sister;
- "(7) his brother's deceased son's widow;
- "(8) his sister's deceased son's widow."

(2) Section four of the principal Act shall have effect as if there were therein substituted for the words "with his deceased wife's sister or his deceased brother's widow" the words "which would have been void or voidable but for the provisions of this Act as amended by any subsequent enactment."

(3) The principal Act shall, so far as it relates to marriages authorised by this Act, have effect as though it had been passed at the date of the passing of this Act.

**2. Consequential amendment of 15 & 16 Geo. 5, c. 49, s. 184.**—Section one hundred and eighty-four of the Supreme Court of Judicature (Consolidation) Act, 1925 (which relates to the remarriage of divorced persons), shall have effect as if for the proviso to subsection (1) thereof there were substituted the following proviso (that is to say) :—

"Provided that it shall not be lawful for a man to contract any marriage which, upon the decease of any person, would be authorised by the Marriage (Prohibited Degrees of Relationship) Acts, 1907 to 1931 (as amended by any subsequent enactment) but which would otherwise have been void or voidable by reason of affinity, during the lifetime of that person."

**3. Short title.**—(1) This Act may be cited as the Marriage (Prohibited Degrees of Relationship) Act, 1931, and this Act and the Marriage (Prohibited Degrees of Relationship) Acts, 1907 and 1921, may be cited together as the Marriage (Prohibited Degrees of Relationship) Acts, 1907 to 1931.

(2) References in this Act to the principal Act shall be construed as references to that Act as amended by the Deceased Brother's



Widow's Marriage Act, 1921, and this Act shall be construed as one with those Acts.

(3) Subsection (3) of section one of the Deceased Brother's Widow's Marriage Act, 1921, is hereby repealed.

(4) This Act shall not apply to Northern Ireland.

### CHAPTER 32.

#### ROAD TRAFFIC (AMENDMENT) ACT, 1931.

An Act to repeal subsection (3) of section sixty-one of the Road Traffic Act, 1930, and to correct an error in section one hundred of that Act.

[31st July, 1931.]

Be it enacted, etc.:—

1. *Repeal of s. 61 (3) of 20 & 21 Geo. 5, c. 43.*—Subsection (3) of section sixty-one of the Road Traffic Act, 1930 (which provides that certain motor vehicles if used or allowed to be used without reward for carrying eight or more passengers are to be treated as contract carriages) shall cease to have effect.

2. *Correction of clerical error in s. 100 of 20 & 21 Geo. 5, c. 43.*—In paragraph (e) of section one hundred of the Road Traffic Act, 1930 (which provides for the application of Part IV of the said Act to Scotland) for the reference to section ninety of the said Act there shall be substituted a reference to section ninety-one thereof.

3. *Short title.*—This Act may be cited as the Road Traffic (Amendment) Act, 1931.

### CHAPTER 33.

#### ARCHITECTS (REGISTRATION) ACT, 1931.

An Act to provide for the registration of architects and for purposes connected therewith.

[31st July, 1931.]

### CHAPTER 34.

#### ISLE OF MAN (CUSTOMS) ACT, 1931.

An Act to amend the law with respect to Customs in the Isle of Man.

[31st July, 1931.]

### CHAPTER 35.

#### BRITISH SUGAR INDUSTRY (ASSISTANCE) ACT, 1931.

An Act to provide for the making of advances to certain companies in respect of sugar manufactured by them in Great Britain during a period of one year beginning on the first day of October, nineteen hundred and thirty-one, from beet grown in Great Britain; to provide for the recovery in certain events of the whole or some part of the advances so made, and for the remission of any balance thereof not so recovered; and for purposes incidental to, or consequential upon, the matters aforesaid.

[31st July, 1931.]

### CHAPTER 36.

#### UNEMPLOYMENT INSURANCE (No. 3) ACT, 1931.

An Act to provide for the amendment, in relation to certain classes of persons, of the enactments relating to unemployment insurance with a view to the elimination of anomalies in the operation of those enactments, and to provide for facilitating the removal of workers and their dependants from one place to another.

[31st July, 1931.]

Be it enacted, etc.:—

1. *Provisions with respect to benefit in the case of special classes of persons.*—(1) For the purpose of removing anomalies which have arisen in the operation of the Unemployment Insurance Acts in connection with the classes of persons hereinafter in this section mentioned, it shall be the duty of the Minister, after consultation with the Advisory Committee constituted for the purposes of this section, to make as soon as may be after the passing of this Act, regulations which shall, in relation to the classes of persons to whom this section applies, impose such additional conditions and terms with respect to the receipt of benefit and such restrictions on the amount and period of benefit, and make such modifications in the provisions of the Unemployment Insurance Acts relating to the determination of claims for benefit, as may appear necessary for the purposes aforesaid.

(2) The classes of persons to whom this section applies are the following:—

(a) persons who habitually work for less than a full week, and by the practice of the trade in which they are employed nevertheless receive earnings or similar payments of an amount greater than the normal earnings for a full week of persons following the same occupation in the same district;

(b) persons whose normal employment is employment for portions of the year only in occupations which are of a seasonal nature;

(c) persons whose normal employment is employment in an occupation in which their services are not normally required for more than two days in the week or who owing to personal circumstances are not normally employed for more than two days in the week;

(d) married women who, since marriage or in any prescribed period subsequent to marriage, have had less than the prescribed number of contributions paid in respect of them;

Provided that this class shall not include married women whose husbands are incapacitated from work or are unemployed and not in receipt of benefit.

(3) The regulations made under this section in relation to persons of the class specified in paragraph (a) of subsection (2) of this section shall not operate so as to reduce the amount of benefit otherwise payable to any person in respect of any week by more than the amount by which the aggregate of the earnings or similar payments received by him in that week and of the benefit aforesaid exceeds the normal earnings for a full week of persons following the same occupation in the same district.

(4) Regulations made in pursuance of this section may apply either generally to all the persons specified in subsection (2) of this section or to any class of those persons or to any portion of such a class, or with respect to them or any of them, in any specified area.

(5) In the case of a person who, immediately before the date on which any regulations made in pursuance of this section come into operation, satisfied the requirements for the receipt of benefit under the law in force immediately before the said date, benefit may, during such period as may be necessary for the examination of the qualifications of that person for the receipt of benefit under the said regulations, but not in any case after the expiration of three months from the said date, be paid to him as if the regulations had not been made.

(6) Before making any regulations under this section, the Minister shall submit a draft thereof to the Advisory Committee and that Committee shall forthwith proceed to take the draft into consideration and shall as soon as may be make a report thereon to the Minister.

The Minister shall cause every report received by him from the Advisory Committee to be laid forthwith before each House of Parliament.

2. *Constitution of Advisory Committee.*—(1) For the purposes of section one of this Act, there shall within six weeks after the passing of this Act be established an Advisory Committee which shall be constituted in the manner provided by this section.

(2) The Advisory Committee shall consist of a chairman and nine other members (of whom at least one shall be a woman) who shall be appointed by the Minister, and hold office for such period from the date of their appointment as the Minister may think proper.

(3) Of the said nine members three shall be appointed by the Minister after consultation with the General Council of the Trades Union Congress, three after consultation with the National Confederation of Employers' Organisations, and one after consultation with the Treasury.

(4) If any member of the Advisory Committee becomes in the opinion of the Minister unfit for any reason to continue to be a member of the Committee, the Minister may terminate his appointment.

(5) Provision may be made by regulations with respect to proceedings and meetings of the Advisory Committee (including the method of voting and quorum), and all matters incidental thereto.

(6) There may be paid to members of the Advisory Committee and to any persons to whom the Committee may, with the approval of the Minister, refer questions for consideration and advice, such travelling and other allowances, including compensation for loss of remunerative time, as the Minister, with the sanction of the Treasury, may determine, and any such payments shall be treated as expenses incurred by the Minister in carrying the Unemployment Insurance Acts into operation.

3. *Schemes for facilitating removal of workers from one place to another.*—With a view to promoting employment, the Minister may, on such terms and subject to such conditions as may be determined by schemes made by him, with the approval of the Treasury, make provision by way of grant or loan or otherwise for the purpose of facilitating the removal of workers and their dependants from one place to another.

4. *Expenses of Minister of Labour.*—The expenses incurred by the Minister under this Act shall be defrayed out of moneys provided by Parliament.

5. *Interpretation, application and short title.*—(1) In this Act, unless the context otherwise requires—

The expression "benefit" means unemployment benefit;

The expression "Minister" means the Minister of Labour;

The expression "the Unemployment Insurance Acts" means the Unemployment Insurance Acts, 1920 to 1931;

The expression "prescribed" means prescribed by regulations;

The expression "regulations" means regulations made under section thirty-five of the Unemployment Insurance Act, 1920.  
(2) This Act shall not apply to Northern Ireland.  
(3) Sections one and two of this Act shall continue in force until the thirtieth day of June, nineteen hundred and thirty-three, and no longer.  
(4) This Act may be cited as the Unemployment Insurance (No. 3) Act, 1931, and shall so far as it relates to unemployment insurance be construed as one with the Unemployment Insurance Acts, and be included among the Acts which may be cited together as the Unemployment Insurance Acts, 1920 to 1931, and any reference in this Act to the Unemployment Insurance Acts, or to any of those Acts, or to any provision in any of those Acts shall, unless the context otherwise requires be construed as a reference to those Acts, that Act or that provision in that Act, as the case may be, as amended by this Act.

## CHAPTER 37.

### ADOPTION OF CHILDREN (SCOTLAND) ACT, 1931.

An Act to amend the Adoption of Children (Scotland) Act, 1930, with respect to the effect of adoptions under that Act for the purposes of the Widows', Orphans' and Old Age Contributory Pensions Acts, 1925 and 1929. [31st July, 1931.]  
Be it enacted, etc. :—

1. *Effect of adoption order in certain cases for purposes of Widows', Orphans' and Old Age Contributory Pensions Acts.*—Where a child was prior to the commencement of the Adoption of Children (Scotland) Act, 1930 (in this Act referred to as the principal Act), in the custody of and being brought up, maintained and educated by two spouses jointly as their child under a de facto adoption and continued until the commencement of the principal Act to be in the custody of and to be brought up and maintained and educated by the spouses or the surviving spouse, then if the child has, whether before or after the commencement of this Act, been adopted under the provisions of the principal Act by the surviving spouse he shall, as from the date of such adoption or of the commencement of this Act, whichever is the later, be treated for the purposes of the Widows', Orphans' and Old Age Contributory Pensions Acts, 1925 and 1929, as being the child of those spouses and as not being the child of any other person :

Provided that—

(i) this section shall not apply in the case of a child in respect of whom an additional allowance or orphan's pension was payable under the said Acts at the date of his adoption under the principal Act or of the commencement of this Act, whichever is the later; and

(ii) this section shall not apply in any case where the adoption order was granted on an application presented after the thirty-first day of July, nineteen hundred and thirty-two.

2. *Short title.*—This Act may be cited as the Adoption of Children (Scotland) Act, 1931, and the Adoption of Children (Scotland) Act, 1930, and this Act may be cited together as the Adoption of Children (Scotland) Acts, 1930 and 1931.

## CHAPTER 38.

### ISLE OF MAN LOANS ACT, 1931.

An Act to extend the purposes for which the Government of the Isle of Man may borrow under and in accordance with the Isle of Man Loans Act, 1880. [31st July, 1931.]

## CHAPTER 39.

### HOUSING (RURAL AUTHORITIES) ACT, 1931.

An Act to enable further assistance to be given to rural housing authorities in regard to the provision of houses in agricultural parishes in England and in rural areas in Scotland for agricultural workers and for persons whose economic condition is substantially the same as that of such workers, and in connection therewith to amend the provisions of section three of the Housing (Financial Provisions) Act, 1924, with respect to the rents of such houses. [31st July, 1931.]  
Be it enacted, etc. :—

1. *Special Government contributions to housing expenses of certain rural district councils.*—(1) The Minister of Health (in this Act referred to as "the Minister") may, subject to the provisions of this Act and on the recommendation of a committee (hereinafter referred to as "the Committee") appointed by him with the approval of the Treasury for the purposes of this Act, undertake to make special contributions, on such conditions as he may with the like approval determine, towards the expenses to be incurred by

such rural district councils as are hereinafter mentioned in providing houses in the agricultural parishes of their districts for agricultural workers and persons of substantially the same economic condition, that is to say, persons whose incomes are, in the opinion of the council concerned, such that they would not ordinarily pay rents in excess of those paid by agricultural workers in the council's district.

(2) If any member of the Committee becomes, in the opinion of the Minister, unfit for any reason to continue to be a member of the Committee, the Minister may terminate his appointment.

(3) Contributions may be made under this section to such rural district councils only as—

(a) before the thirtieth day of November, nineteen hundred and thirty-one, make application to the Committee for the purpose; and

(b) satisfy the Committee that their financial resources are insufficient to enable them without assistance under this section to make adequate provision in the agricultural parishes of their districts for meeting the need for houses for such persons as are mentioned in subsection (1) of this section.

(4) In considering applications so made to them, the Committee shall be guided by any general directions which may be given to them by the Minister, with the approval of the Treasury, for the purposes of this section.

(5) The Minister shall cause any conditions laid down by him under subsection (1) of this section, and any directions given by him under the last preceding subsection, to be laid forthwith before the Commons House of Parliament, and, if that House within the next twenty-one days on which the House has sat after any such conditions or directions are laid before it, resolves that they shall be annulled, they shall cease to have effect but without prejudice to the validity of anything previously done thereunder, or to the laying down or giving of fresh conditions or directions.

(6) A contribution under this section shall be such sum payable annually for a period of forty years in respect of each house as the Minister, on the recommendation of the Committee, may determine to be appropriate to the circumstances of the particular council and shall be in addition to, and not in substitution for, any contributions payable by the Minister under the Housing (Financial Provisions) Act, 1924, or by a county council under section thirty-four of the Housing Act, 1930.

(7) The rents to be charged by a council for the houses in respect of which contributions are being made under this section shall not exceed such sums as may be determined by the Minister in accordance with recommendations of the Committee, and in relation to any such house the Housing (Financial Provisions) Act, 1924, shall have effect as if compliance with the requirement imposed by this subsection were compliance with the requirements of paragraph (e) of subsection (1) of section three of that Act and, for the purposes of any calculation of rents of other houses to be made under the said paragraph, any such house shall be disregarded.

2. *Power of Minister of Health to assist rural district councils by acquiring land and erecting houses.*—With a view to assisting rural district councils in the preparation and carrying out of schemes for the provision of dwelling accommodation in the agricultural parishes of their districts to meet the needs of such persons as are mentioned in subsection (1) of the preceding section, the Minister, if he is requested by any such council so to do and is satisfied that their financial resources are insufficient, and that the council of the county is unwilling to give assistance to them under subsection (1) of section thirty-three of the Housing Act, 1930, may with the consent of the Treasury acquire land and erect houses on behalf and at the expense of that council, and for that purpose may exercise any powers which under the enactments relating to the housing of the working classes, the council might exercise in regard to the acquisition of land and the erection of houses, or may make arrangements with any other Government Department for the exercise by that Department of any of those powers which, in his opinion, could more conveniently be so exercised.

3. *Meaning of "agricultural parish."*—For the purposes of this Act, the expression "agricultural parish" has the same meaning as that which, by virtue of section sixty of the Housing Act, 1930, it has for the purposes of Part III of that Act.

4. *Application to Scotland.*—(1) Sections one and two of this Act, in their application to Scotland, shall have effect subject to the following modifications :—

(a) References to the Minister of Health shall be construed as references to the Department of Health for Scotland (in this section referred to as "the Department"), and references to the Committee shall be construed as references to a committee appointed by the Department with the approval of the Treasury for the purposes of this Act; and

(b) References to rural district councils and to their districts shall be construed as references to county councils as local authorities under the Housing (Scotland) Act, 1925, and to their counties, and references to agricultural parishes shall be construed as references to rural areas.



(2) In this section the expression "rural area" has the same meaning as that which it has in the Housing (Financial Provisions) Act, 1924, as amended by the Housing (Scotland) Act, 1930, and any question as to whether an area is or is not a rural area shall be determined by the Department, whose decision shall be final.

5. *Expenses of Minister of Health and Department of Health for Scotland.*—Any contributions which the Minister of Health and the Department of Health for Scotland may undertake to make under section one of this Act shall be defrayed out of moneys provided by Parliament, but the present capital values of those contributions as calculated at the dates on which the Minister or, as the case may be, the Department undertake to make them (interest being reckoned for the purpose at the rate of four pounds ten shillings per centum per annum) shall not in the aggregate exceed the sum of two million pounds, of which eighty ninety-first parts shall be allocated to England, and eleven ninety-first parts shall be allocated to Scotland.

6. *Short title and extent.*—(1) This Act may be cited as the Housing (Rural Authorities) Act, 1931.

(2) This Act shall not extend to Northern Ireland.

## CHAPTER 40.

### AGRICULTURAL PRODUCE (GRADING AND MARKING) AMENDMENT ACT, 1931.

An Act to amend the Agricultural Produce (Grading and Marking) Act, 1928. [31st July, 1931.]

## CHAPTER 41.

### AGRICULTURAL LAND (UTILISATION) ACT, 1931.

An Act to promote the better utilisation of agricultural land in Great Britain and the settlement of unemployed persons thereon, to amend the law relating to small holdings and allotments, and for purposes connected with the matters aforesaid. [31st July, 1931.]

## CHAPTER 42.

### AGRICULTURAL MARKETING ACT, 1931.

An Act to enable schemes to be made for regulating the marketing of agricultural products; to confer powers upon boards and other bodies to be constituted in connection with, or acting for purposes connected with, such schemes; to establish agricultural marketing funds for the purpose of making loans thereout to the boards aforesaid; to encourage agricultural co-operation, research and education; and to provide for purposes connected with the matters aforesaid. [31st July, 1931.]

## CHAPTER 43.

### IMPROVEMENT OF LIVE STOCK (LICENSING OF BULLS) ACT, 1931.

An Act to provide for the improvement of live stock by regulating the keeping and importation of bulls and for purposes connected with the matters aforesaid. [31st July, 1931.]

## CHAPTER 44.

### SMALL LANDHOLDERS AND AGRICULTURAL HOLDINGS (SCOTLAND) ACT, 1931.

An Act to amend the Small Landholders (Scotland) Acts, 1886 to 1919, and the Agricultural Holdings (Scotland) Act, 1923. [31st July, 1931.]

## CHAPTER 45.

### LOCAL GOVERNMENT (CLERKS) ACT, 1931.

An Act to amend the law relating to the offices of clerk of the county council and clerk of the peace of counties and to persons holding those offices, and for purposes connected with the matters aforesaid. [31st July, 1931.]

## CHAPTER 46.

### GOLD STANDARD (AMENDMENT) ACT, 1931.

An Act to suspend the operation of subsection (2) of section one of the Gold Standard Act, 1925, and for purposes connected therewith. [21st September, 1931.]

Be it enacted, etc.:

1. *Suspension of right to purchase gold bullion.*—(1) Unless and until His Majesty by Proclamation otherwise directs, subsection (2) of section one of the Gold Standard Act, 1925, shall cease to have effect,

notwithstanding that subsection (1) of the said section remains in force.

(2) The Bank of England are hereby discharged from all liabilities in respect of anything done by the Bank in contravention of the provision of the said subsection (2) at any time after the eighteenth day of September, nineteen hundred and thirty-one, and no proceedings whatsoever shall be instituted against the Bank or any other person in respect of anything so done as aforesaid.

(3) It shall be lawful for the Treasury to make, and from time to time vary, orders authorising the taking of such measures in relation to the exchanges and otherwise as they may consider expedient for meeting difficulties arising in connection with the suspension of the gold standard.

This subsection shall continue in force for a period of six months from the passing of this Act.

2. *Short title.*—This Act may be cited as the Gold Standard (Amendment) Act, 1931.

## CHAPTER 47.

### PUBLIC WORKS LOANS ACT, 1931.

An Act to grant money for the purpose of certain local loans out of the Local Loans Fund and for other purposes relating to local loans. [30th September, 1931.]

Be it enacted, etc.:

1. *Grant for public works.*—(1) There may be issued by the National Debt Commissioners for the purposes of local loans by the Public Works Loan Commissioners any sum or sums not exceeding in the whole the sum of twenty million pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

2. *Certain debts not to be reckoned as assets of local loans fund.*—Whereas it is expedient that the principal of the several local loans specified in the Tables contained in the Schedule to this Act should, to the extent specified in the last column of those Tables, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887:

Now, therefore, the principal of the said loans to the extent aforesaid shall be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

3. *Remission of balance of principal and interest in respect of certain local loans.*—Whereas it is provided by the last preceding section of this Act that the principal of the local loans specified in the Tables contained in the Schedule to this Act shall, to the extent of the sums respectively specified in the last column of those Tables, be written off from the assets of the local loans fund:

And whereas the said sums constitute respectively the balances remaining unpaid out of the total amounts advanced, and are irrecoverable:

Now, therefore, the principal of the said loans shall, to the extent aforesaid, be extinguished and all arrears of interest thereon shall be remitted.

4. *Short title.*—This Act may be cited as the Public Works Loans Act, 1931.

## SCHEDULE.

### PART I.

LOAN BY THE PUBLIC WORKS LOAN COMMISSIONERS UNDER THE HARBOURS AND PASSING TOLLS, &C. ACT, 1861.

| Name of Borrower.              | Amount of Loan. | Amount to be written off. |
|--------------------------------|-----------------|---------------------------|
|                                | £               | £ s. d.                   |
| Stonehaven Harbpor Trustees .. | 7,000           | 6,653 4 4                 |

### PART II.

LOAN BY THE PUBLIC WORKS LOAN COMMISSIONERS UNDER THEIR GENERAL POWERS.

| Name of Borrower.               | Amount of Loan. | Amount to be written off. |
|---------------------------------|-----------------|---------------------------|
|                                 | £               | £ s. d.                   |
| Brownies Taing Pier Trustees .. | 1,800           | 1,200 0 0                 |

PART III.

LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS UNDER THE  
AGRICULTURAL CREDITS ACT, 1923.

| Name of Borrower.                | Amount of<br>Loan. | Amount to be<br>written off. |
|----------------------------------|--------------------|------------------------------|
|                                  | £                  | £ s. d.                      |
| Messrs. Clinch and Goddard .. .. | 9,000              | 432 0 1                      |
| Mr. Albert Ernest Crisp .. ..    | 1,230              | 220 5 0                      |
| Mr. Frederick Henry Moore .. ..  | 3,915              | 1,710 19 1                   |
| Mr. Walter Rhodes .. ..          | 9,375              | 3,673 10 7                   |

CHAPTER 48.

NATIONAL ECONOMY ACT, 1931.

An Act to authorise the making of Orders in Council for the purpose of effecting economies in expenditure falling to be defrayed out of public moneys and improvements in the arrangements for meeting such expenditure. [30th September, 1931.]

Be it enacted, etc. :—

1. *Power to make Orders in Council for effecting certain economies.*—

(1) During the period of one month after the commencement of this Act His Majesty may, in respect of the services specified in the Schedule to this Act and in respect of the remuneration (otherwise than by way of pension assessed before the commencement of this Act) of persons in His Majesty's Service, make such Orders in Council as appear to him to be expedient for the purposes of effecting economies in the expenditure falling to be defrayed out of the Consolidated Fund, out of moneys provided by Parliament, or out of any fund established by the enactments relating to any of the said services, and of effecting improvements in the arrangements for meeting such expenditure; and, in particular, without prejudice to the generality of the said power, any such Order may make provision—

(a) for altering the respective proportions in which expenditure in respect of any such service is to be defrayed out of any fund so established as aforesaid and out of moneys provided by Parliament and for making transfers and adjustments between any such funds or between any such fund and any other statutory fund;

(b) for imposing duties on local authorities in connection with the administration of any such service;

(c) for increasing the contributions to be made to the unemployment fund, and for securing that, as from the date on which the Treasury cease to have power to make advances for the purpose of meeting deficiencies in that fund, any such deficiency shall be met out of such moneys as may be provided by Parliament for that purpose;

(d) for the modification or termination of statutory or contractual rights, obligations and restrictions subsisting at the date when the provisions of the Order take effect.

(2) The Minister designated in any Order in Council made under this section may make regulations for giving effect to the provisions of that Order in respect of such matters as may be specified therein.

(3) Any Order in Council or regulations made under this section shall, as from such date not earlier than the first day of October nineteen hundred and thirty-one as may be specified in the Order or regulations, have effect notwithstanding anything in any enactment.

2. *Short title.*—This Act may be cited as the National Economy Act, 1931.

SCHEDULE.

SERVICES IN RESPECT OF WHICH ORDERS IN COUNCIL MAY BE MADE  
UNDER THIS ACT.

Education.  
National Health Insurance.  
Police.  
Unemployment Insurance.  
Roads.

CHAPTER 49.

FINANCE (No. 2) ACT, 1931.

An Act to increase the Customs and Excise duties on beer and tobacco, the Customs duty on hydrocarbon oils, and the entertainments duty; to increase the standard rate of income tax for the year 1931–32, and the higher rates of income tax for the year 1930–31; to amend the Income Tax Acts in so far as they relate to certain reliefs and the tax payable by persons carrying on a trade consisting wholly or partly in dealing in securities; to amend section thirty-six of the Finance Act, 1931, and the law relating to the National Debt; and to make provision for certain matters connected with the matters aforesaid. [5th October, 1931.]

CHAPTER 50.

APPROPRIATION (No. 2) ACT, 1931.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and thirty-two, and to appropriate the further Supplies granted in this Session of Parliament. [7th October, 1931.]

CHAPTER 51.

FOODSTUFFS (PREVENTION OF EXPLOITATION)  
ACT, 1931.

An Act to authorise the Board of Trade, in case of need, to take exceptional measures for preventing or remedying shortages in, or unreasonable increases in the price of certain articles of food or drink. [7th October, 1931.]

CHAPTER 52.

SUNDAY PERFORMANCES (TEMPORARY REGULATION)  
ACT, 1931.

An Act to enable the existing practice as to cinematograph and musical entertainments on Sundays to be continued temporarily and to make temporary provision as to the enforcement of the enactments relating to Sunday observance. [7th October, 1931.]

Be it enacted, etc. :—

1. *Continuance of practice as to cinematograph and musical entertainments.*—(1) Where in any area places licensed by the authority having power in that area to issue licences under the Cinematograph Act, 1909, or by the authority having power in that area to issue licences under any enactment for the regulation of places kept or ordinarily used for public dancing, singing, music, or other public entertainment of the like kind, have, within the period of one year from the passing of this Act, been opened and used on Sundays for the purpose of cinematograph entertainments or for the purpose of musical entertainments in pursuance of arrangements purported to have been made with those authorities respectively, then, notwithstanding anything in any enactment relating to Sunday observance, those authorities respectively may, while this Act is in force, allow places in that area licensed under the said enactments to be opened and used on Sundays for the purpose of cinematograph entertainments or for the purpose of musical entertainments subject to such conditions as the authority may think fit to impose.

(2) In this section—

“Cinematograph entertainment” means the exhibition of pictures or other optical effects by means of a cinematograph or other similar apparatus with or without the mechanical reproduction of sound;

“Musical entertainment” means a concert or similar entertainment consisting of the performance of music, with or without singing or recitation.

2. *Provisions as to enforcement of 21 Geo. 3. c. 49.*—Any action or other legal proceeding for any penalty under the Sunday Observance Act, 1780, instituted before the passing of this Act shall be discharged and made void, subject, in the case of a proceeding instituted before the second day of April, nineteen hundred and thirty-one, to such order as to costs as the court or a judge thereof may think fit to make; and no such proceeding shall, while this Act is in force, be instituted without the consent of the Attorney-General or the Solicitor-General.

3. *Short title, extent and duration.*—(1) This Act may be cited as the Sunday Performances (Temporary Regulation) Act, 1931.

(2) This Act shall not extend to Scotland or to Northern Ireland.

(3) This Act shall continue in force for the period of one year after the passing thereof and no longer.

CHAPTER 1.

ABNORMAL IMPORTATIONS (CUSTOMS DUTIES) ACT, 1931.

An Act to make provision for the imposition of duties of Customs on articles wholly or mainly manufactured which are being imported into the United Kingdom in abnormal quantities, and for purposes connected therewith. [20th November, 1931.]

CHAPTER 2.

EXPIRING LAWS ACT, 1931.

An Act to deal with certain Expiring Laws by making some of them permanent and continuing the remainder for limited periods. [1st December, 1931.]

Whereas the Acts mentioned in the Schedules to this Act are, in so far as they are in force and are temporary in their duration, limited to expire—

(a) as respects those mentioned in the First Schedule and in Parts I and III of the Second Schedule, on the thirty-first day of December, nineteen hundred and thirty-one; and

(b) as respects that mentioned in Part II of the Second Schedule, in England on the twenty-fifth day of December, nineteen hundred and thirty-one, and in Scotland on the twenty-eighth day of May, nineteen hundred and thirty-two:

And whereas it is expedient that the Acts mentioned in the First Schedule should be made permanent and that the Acts mentioned in the Second Schedule should be continued as in this Act mentioned, together in each case with any enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. *Certain Acts to be made permanent.*—Notwithstanding anything in any other Act, the Acts mentioned in the First Schedule to this Act shall, to the extent specified in column three of that Schedule, become permanent Acts.

2. *Certain Acts to be continued temporarily.*—(1) The acts mentioned in Part I of the Second Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December, nineteen hundred and thirty-two.

(2) The Act mentioned in Part II of the Second Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued in England until the twenty-fifth day of December, nineteen hundred and thirty-two, and in Scotland until the twenty-eighth day of May, nineteen hundred and thirty-three.

(3) The Acts mentioned in Part III of the Second Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December, nineteen hundred and thirty-four.

3. *Amending enactments.*—Any unrepealed enactments amending or affecting the enactments made permanent or continued by this Act shall, in so far as they are temporary in their duration, become permanent or be continued (as the case may be) in like manner, whether they are mentioned in the First or Second Schedule to this Act, or not.

4. *Short title, and application to Northern Ireland.*—(1) This Act may be cited as the Expiring Laws Act, 1931.

(2) This Act shall apply to Northern Ireland in so far as it deals with any enactment relating to a subject with respect to which the Parliament of Northern Ireland has no power to make laws, but subject to this provision this Act shall not apply to Northern Ireland.

## SCHEDULES.

## FIRST SCHEDULE.

## ENACTMENTS MADE PERMANENT.

| 1.<br>Session and Chapter.     | 2.<br>Short Title.                                     | 3.<br>How far made permanent.   | 4.<br>Amending Acts.   |
|--------------------------------|--|---|--|
| (1)<br>58 & 59 Vict.<br>c. 21  | The Seal Fisheries (North Pacific) Act, 1895.          | The whole Act.  | 2 & 3 Geo. 5.<br>c. 10.  |
| (2)<br>4 & 5 Geo. 5.<br>c. 78. | The Courts (Emergency Powers) Act, 1914.               | So far as it relates to orders made by any court before the thirty-first day of August, nineteen hundred and twenty-two.                                      | 6 & 7 Geo. 5.<br>c. 13.<br>6 & 7 Geo. 5.<br>c. 18.<br>7 & 8 Geo. 5.<br>c. 25.<br>9 & 10 Geo. 5.<br>c. 64.<br>10 Geo. 5.<br>c. 5.<br>13 & 14 Geo. 5.<br>c. 8. |
| (3)<br>6 & 7 Geo. 5.<br>c. 12. | The Local Government (Emergency Provisions) Act, 1916. | Section six, so far as it confers rights on officers or servants of a local authority in respect of their service or employment in or about certain premises. | —  |

## SECOND SCHEDULE.

## ENACTMENTS CONTINUED.

## PART I.

| 1.<br>Session and Chapter.        | 2.<br>Short Title.   | 3.<br>How far continued.  | 4.<br>Amending Acts.   |
|-----------------------------------|--|---|--|
| (1)<br>4 Edw. 7.<br>c. 24.        | The Wireless Telegraphy Act, 1904.                                       | The whole Act.  | 6 Edw. 7.<br>c. 13.<br>15 & 16 Geo.<br>5. c. 67.<br>16 & 17 Geo.<br>5. c. 54.                            |
| (2)<br>2 Geo. 5.<br>c. 2.         | The Coal Mines (Minimum Wage) Act, 1912.                                 | The whole Act.  | —  |
| (3)<br>4 & 5 Geo. 5.<br>c. 3.     | The Grey Seals Protection Act, 1914.                                     | The whole Act.  | —  |
| (4)<br>9 & 10 Geo. 5.<br>c. 92.   | The Aliens Restriction (Amendment) Act, 1919.                            | Section one.  | —  |
| (5)<br>9 & 10 Geo. 5.<br>c. 97.   | The Land Settlement (Scotland) Act, 1919.                                | Section two.  | 12 & 13 Geo.<br>5. c. 52.  |
| (6)<br>10 & 11 Geo.<br>5. c. 21   | The Harbours, Docks and Piers (Temporary Increase of Charges) Act, 1920. | The whole Act.  | 12 & 13 Geo.<br>5. c. 23.  |
| (7)<br>10 & 11 Geo.<br>5. c. 47.  | The Ministry of Food (Continuance) Act, 1920.                            | So far as it authorises the making or revoking, in whole or in part, of Part III of the Sale of Food Order, 1921, and provides for the enforcement, and imposes penalties for the breach thereof. | —  |
| (8)<br>10 & 11 Geo.<br>5. c. 57.  | The Unemployment (Relief Works) Act, 1920.                               | The whole Act.  | 20 & 21 Geo.<br>5. c. 50.  |
| (9)<br>10 & 11 Geo.<br>5. c. 65.  | The Employment of Women, Young Persons and Children Act, 1920.           | Section two.  | —  |
| (10)<br>10 & 11 Geo.<br>5. c. 77. | The Dyestuffs (Import Regulation) Act, 1920.                             | The whole Act.  | —  |
| (11)<br>11 & 12 Geo.<br>5. c. 64. | The Poor Law Emergency Provisions (Scotland) Act, 1921.                  | The whole Act except subsection (4) of section two.   | 13 & 14 Geo.<br>5. c. 6.<br>14 & 15 Geo.<br>5. c. 9.<br>15 & 16 Geo.<br>5. c. 35.<br>17 Geo. 5.<br>c. 3. |
| (12)<br>14 & 15 Geo.<br>5. c. 34. | The London Traffic Act, 1924.  | The whole Act.  | —  |
| (13)<br>16 & 17 Geo.<br>5. c. 28. | The Mining Industry Act, 1926.   | Section eighteen.   | —  |
| (14)<br>17 Geo. 5.<br>c. 3.       | The Poor Law Emergency Provisions (Scotland) Act, 1927.                  | Sections one, three and five.   | —  |



## PART II.

|                                   |  |                |   |
|-----------------------------------|--|----------------|---|
| (15)<br>10 & 11 Geo.<br>5. c. 17. | The Increase of<br>Rent and Mort-<br>gage Interest<br>(Restrictions) Act,<br>1920. | The whole Act. | 13 & 14 Geo.<br>5. c. 32.<br>14 & 15 Geo.<br>5. c. 18.<br>15 & 16 Geo.<br>5. c. 32.<br>20 & 21 Geo.<br>5. cc. 39 and<br>40. |
|-----------------------------------|--|----------------|---|

## PART III.

|                                   |   |   |                           |
|-----------------------------------|---|---|---------------------------|
| (16)<br>8 & 9 Geo. 5.<br>c. 34.   | The Statutory Un-<br>dertakings (Tem-<br>porary Increase<br>of Charges) Act,<br>1918. | So far as it relates<br>to tramway un-<br>dertakings. | 10 & 11 Geo.<br>5. c. 14. |
| (17)<br>12 & 13 Geo.<br>5. c. 27. | The Canals (Contin-<br>uance of Charging<br>Powers) Act, 1922.                        | The whole Act.  | 15 & 16 Geo.<br>5. c. 2.  |

## CHAPTER 3.

HORTICULTURAL PRODUCTS (EMERGENCY CUSTOMS  
DUTIES) ACT, 1931.

An Act to make provision for the imposition of duties of Customs on certain descriptions of fresh fruit, fresh vegetables, flowers, bulbs, plants and foliage, and for purposes connected therewith.

[11th December, 1931.]

## CHAPTER 4.

## STATUTE OF WESTMINSTER, 1931.

An Act to give effect to certain resolutions passed by Imperial Conferences held in the years 1926 and 1930. [11th December, 1931.]

Whereas the delegates of His Majesty's Governments in the United Kingdom, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland, at Imperial Conferences holden at Westminster in the years of our Lord nineteen hundred and twenty-six and nineteen hundred and thirty did concur in making the declarations and resolutions set forth in the Reports of the said Conferences:

And whereas it is meet and proper to set out by way of preamble to this Act that, inasmuch as the Crown is the symbol of the free association of the members of the British Commonwealth of Nations, and as they are united by a common allegiance to the Crown, it would be in accord with the established constitutional position of all the members of the Commonwealth in relation to one another that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles shall hereafter require the assent as well of the Parliaments of all the Dominions as of the Parliament of the United Kingdom:

And whereas it is in accord with the established constitutional position that no law hereafter made by the Parliament of the United Kingdom shall extend to any of the said Dominions as part of the law of that Dominion otherwise than at the request and with the consent of that Dominion:

And whereas it is necessary for the ratifying, confirming and establishing of certain of the said declarations and resolutions of the said Conferences that a law be made and enacted in due form by authority of the Parliament of the United Kingdom:

And whereas the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland have severally requested and consented to the submission of a measure to the Parliament of the United Kingdom for making such provision with regard to the matters aforesaid as is hereafter in this Act contained:

Now, therefore, be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1. Meaning of "Dominion" in this Act.**—In this Act the expression "Dominion" means any of the following Dominions, that is to say, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland.

**2. Validity of laws made by Parliament of a Dominion.**—(1) The Colonial Laws Validity Act, 1865, shall not apply to any law made after the commencement of this Act by the Parliament of a Dominion.

(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a Dominion shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of a Dominion shall include the power to repeal or amend any such Act, order, rule or regulation in so far as the same is part of the law of the Dominion.

**3. Power of Parliament of Dominion to legislate extra-territorially.**—It is hereby declared and enacted that the Parliament of a Dominion has full power to make laws having extra-territorial operation.

**4. Parliament of United Kingdom not to legislate for Dominion except by consent.**—No Act of Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend, to a Dominion as part of the law of that Dominion, unless it is expressly declared in that Act that that Dominion has requested, and consented to, the enactment thereof.

**5. Powers of Dominion Parliaments in relation to merchant shipping.**—Without prejudice to the generality of the foregoing provisions of this Act, sections seven hundred and thirty-five and seven hundred and thirty-six of the Merchant Shipping Act, 1894, shall be construed as though reference therein to the Legislature of a British possession did not include reference to the Parliament of a Dominion.

**6. Powers of Dominion Parliaments in relation to Courts of Admiralty.**—Without prejudice to the generality of the foregoing provisions of this Act, section four of the Colonial Courts of Admiralty Act, 1890 (which requires certain laws to be reserved for the signification of His Majesty's pleasure or to contain a suspending clause), and so much of section seven of that Act as requires the approval of His Majesty in Council to any rules of Court for regulating the practice and procedure of a Colonial Court of Admiralty, shall cease to have effect in any Dominion as from the commencement of this Act.

**7. Saving for British North America Acts and application of the Act to Canada.**—(1) Nothing in this Act shall be deemed to apply to the repeal, amendment or alteration of the British North America Acts, 1867 to 1930, or any order, rule or regulation made thereunder.

(2) The provisions of section two of this Act shall extend to laws made by any of the Provinces of Canada and to the powers of the legislatures of such Provinces.

(3) The powers conferred by this Act upon the Parliament of Canada or upon the legislatures of the Provinces shall be restricted to the enactment of laws in relation to matters within the competence of the Parliament of Canada or of any of the legislatures of the Provinces respectively.

**8. Saving for Constitution Acts of Australia and New Zealand.**—Nothing in this Act shall be deemed to confer any power to repeal or alter the Constitution or the Constitution Act of the Commonwealth of Australia or the Constitution Act of the Dominion of New Zealand otherwise than in accordance with the law existing before the commencement of this Act.

**9. Saving with respect to States of Australia.**—(1) Nothing in this Act shall be deemed to authorise the Parliament of the Commonwealth of Australia to make laws on any matter within the authority of the States of Australia, not being a matter within the authority of the Parliament or Government of the Commonwealth of Australia.

(2) Nothing in this Act shall be deemed to require the concurrence of the Parliament or Government of the Commonwealth of Australia in any law made by the Parliament of the United Kingdom with respect to any matter within the authority of the States of Australia, not being a matter within the authority of the Parliament or Government of the Commonwealth of Australia, in any case where it would have been in accordance with the constitutional practice existing before the commencement of this Act that the Parliament of the United Kingdom should make that law without such concurrence.

(3) In the application of this Act to the Commonwealth of Australia the request and consent referred to in section four shall mean the request and consent of the Parliament and Government of the Commonwealth.

**10. Certain sections of Act not to apply to Australia, New Zealand or Newfoundland unless adopted.**—(1) None of the following sections of this Act, that is to say, sections two, three, four, five and six, shall extend to a Dominion to which this section applies as part of the law of that Dominion unless that section is adopted by the Parliament of the Dominion, and any Act of that Parliament adopting any section of this Act may provide that the adoption shall have effect either from the commencement of this Act or from such later date as is specified in the adopting Act.

(2) The Parliament of any such Dominion as aforesaid may at any time revoke the adoption of any section referred to in subsection (1) of this section.

(3) The Dominions to which this section applies are the Commonwealth of Australia, the Dominion of New Zealand and Newfoundland.

**11. Meaning of "Colony" in future Acts.**—Notwithstanding anything in the Interpretation Act, 1889, the expression "Colony" shall not, in any Act of the Parliament of the United Kingdom passed after

the commencement of this Act, include a Dominion or any Province or State forming part of a Dominion.

**12. Short title.**—This Act may be cited as the Statute of Westminster, 1931.

## CHAPTER 5.

### EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1931.

An Act to extend by three years the period during which the powers of the Commissioners appointed under the Educational Endowments (Scotland) Act, 1928, may be exercised, and for purposes incidental to such extension. [11th December, 1931.]

Be it enacted, etc. :—

**1. Extension of duration of powers of Commissioners under 18 & 19 Geo. 5, c. 30.**—(1) The period during which the powers of the Commissioners appointed under the Educational Endowments (Scotland) Act, 1928, may be exercised by them shall be extended by three years and accordingly in section forty of the said Act (which limits the duration of the Commissioners' powers) for the words "nineteen hundred and thirty-one" there shall be substituted the words "nineteen hundred and thirty-four."

(2) The provisions of subsection (2) of section one of the said Act with respect to the remuneration of the assistant commissioners and the secretary and other officers of the Commissioners, and with respect to expenses incurred by the Commissioners shall apply in relation to such extended period as aforesaid as they apply in relation to the period originally limited by the said section forty.

**2. Short title and citation.**—This Act may be cited as the Educational Endowments (Scotland) Act, 1931, and the Educational Endowments (Scotland) Act, 1928, and this Act may be cited together as the Educational Endowments (Scotland) Acts, 1928 and 1931.

## CHAPTER 6.

### NATIONAL HEALTH INSURANCE (PROLONGATION OF INSURANCE) ACT, 1931.

An Act to amend subsection (3) of section three of the National Health Insurance Act, 1924, and to make financial provision in connection with such amendment. [11th December 1931.]

Be it enacted, etc. :—

**1. Prolongation of periods of insurance in the case of certain employed contributors.**—Where a person was immediately before the first day of

January, nineteen hundred and thirty-two, insured as an employed contributor under the provisions of subsection (3) of section three of the principal Act, or under the said subsection as applied by regulations made under section twenty-three of the National Health Insurance Act, 1928, or as amended by section one of the National Health Insurance (Prolongation of Insurance) Act, 1930, he shall continue to be treated as an employed contributor remaining by virtue of the said subsection insured under the principal Act until the thirty-first day of December, nineteen hundred and thirty-two, if he satisfies the requirement contained in paragraph (a) of the said subsection, and also proves within the prescribed time that, throughout the period during which by virtue of the said subsection, or of the said subsection as so applied or amended as aforesaid, he remained insured under the principal Act, he was when not employed within the meaning of that Act either available for, but unable to obtain, employment within the meaning of that Act, or incapable of work by reason of some specific disease or bodily or mental disablement of which notice was given within the prescribed time.

**2. Financial provision.**—(1) There shall, in respect of every person, being a member of an approved society, to whom this Act applies, be paid out of moneys provided by Parliament to the fund out of which the benefits to which that person is entitled are provided, and, subject to the retention thereof of the amounts mentioned in section sixty-seven of the principal Act, credited to the account in that fund of the approved society of which that person is a member, a sum equal to thirty-six contributions at the rate, in the case of a man, of ninepence and, in the case of a woman, of eightpence halfpenny.

(2) For the purpose of section four of the principal Act the sums paid under this section in respect of any person shall be deemed to be contributions paid under the principal Act by, or in respect of, that person.

**3. Short title, interpretation and extent.**—(1) This Act may be cited as the National Health Insurance (Prolongation of Insurance) Act, 1931, and shall be construed as one with the principal Act, and the National Health Insurance Acts, 1924 to 1930, and this Act may be cited together as the National Health Insurance Acts, 1924 to 1931.

(2) In this Act the expression "the principal Act" means the National Health Insurance Act, 1924, and references to the principal Act shall, unless the context otherwise requires, be construed as references to that Act as amended by any subsequent enactment.

(3) This Act shall not extend to Northern Ireland.

## CHAPTER 7.

### INDIAN PAY (TEMPORARY ABATEMENTS) ACT, 1931.

An Act to authorise the making of temporary abatements from the pay of persons in the service of the Crown in India notwithstanding subsisting statutory rights. [11th December, 1931.]

## INDEX TO STATUTES.

| Chap.                      | Title.  | Statutes Page. | Chap.             | Title.   | Statutes Page. |
|----------------------------|---|----------------|-------------------|--|----------------|
| <b>21 GEO. 5.</b>          |   |                |                   |  |                |
| 6                          | Education (Local Authorities) Act, 1931 .. .. .                               | 12             | 32                | Road Traffic (Amendment) Act, 1931 .. .. .                               | 10             |
| 7                          | China Indemnity (Application) Act, 1931 .. .. .                               | 12             | 33                | Architects (Registration) Act, 1931 .. .. .                              | 10             |
| 8                          | Unemployment Insurance Act, 1931 .. .. .                                      | 12             | 34                | Isle of Man (Customs) Act, 1931 .. .. .                                  | 10             |
| 9                          | Colonial Naval Defence Act, 1931 .. .. .                                      | 12             | 35                | British Sugar Industry (Assistance) Act, 1931 .. .. .                    | 10             |
| 10                         | Consolidated Fund (No. 2) Act, 1931 .. .. .                                   | 12             | 36                | Unemployment Insurance (No. 3) Act, 1931 .. .. .                         | 10             |
| 11                         | Acquisition of Land (Assessment of Compensation) (Scotland) Act, 1931 .. .. . | 12             | 37                | Adoption of Children (Scotland) Act, 1931 .. .. .                        | 11             |
| 12                         | Metropolitan Police (Staff Superannuation and Police Fund) Act, 1931 .. .. .  | 12             | 38                | Isle of Man Loans Act, 1931 .. .. .                                      | 11             |
| 13                         | House of Commons Disqualification (Declaration of Law) Act, 1931 .. .. .      | 12             | 39                | Housing (Rural Authorities) Act, 1931 .. .. .                            | 11             |
| 14                         | Army and Air Force (Annual) Act, 1931 .. .. .                                 | 12             | 40                | Agricultural Produce (Grading and Marking) Amendment Act, 1931 .. .. .   | 12             |
| 15                         | Yarmouth Naval Hospital Act, 1931 .. .. .                                     | 12             | 41                | Agricultural Land (Utilisation) Act, 1931 .. .. .                        | 12             |
| <b>21 &amp; 22 GEO. 5.</b> |   |                |                   |  |                |
| 16                         | Ancient Monuments Act, 1931 .. .. .   | 3              | 42                | Agricultural Marketing Act, 1931 .. .. .                                 | 12             |
| 17                         | Local Authorities (Publicity) Act, 1931 .. .. .                               | 6              | 43                | Improvement of Live Stock (Licensing of Bulls) Act, 1931 .. .. .         | 12             |
| 18                         | Workmen's Compensation Act, 1931 .. .. .                                      | 6              | 44                | Small Landholders and Agricultural Holdings (Scotland) Act, 1931 .. .. . | 12             |
| 19                         | Widows', Orphans' and Old Age Contributory Pensions Act, 1931 .. .. .         | 6              | 45                | Local Government (Clerks) Act, 1931 .. .. .                              | 12             |
| 20                         | Post Office and Telegraph (Money) Act, 1931 .. .. .                           | 6              | 46                | Gold Standard (Amendment) Act, 1931 .. .. .                              | 12             |
| 21                         | Palestine and East Africa Loans (Amendment) Act, 1931 .. .. .                 | 6              | 47                | Public Works Loans Act, 1931 .. .. .                                     | 12             |
| 22                         | Housing (Rural Workers) Amendment Act, 1931 .. .. .                           | 6              | 48                | National Economy Act, 1931 .. .. .                                       | 13             |
| 23                         | Mining Industry (Welfare Fund) Act, 1931 .. .. .                              | 6              | 49                | Finance (No. 2) Act, 1931 .. .. .  | 13             |
| 24                         | Sentence of Death (Expectant Mothers) Act, 1931 .. .. .                       | 6              | 50                | Appropriation (No. 2) Act, 1931 .. .. .                                  | 13             |
| 25                         | Unemployment Insurance (No. 2) Act, 1931 .. .. .                              | 6              | 51                | Foodstuffs (Prevention of Exploitation) Act, 1931 .. .. .                | 13             |
| 26                         | Mauritius Loan (Guarantee) Act, 1931 .. .. .                                  | 6              | 52                | Sunday Performances (Temporary Regulation) Act, 1931 .. .. .             | 13             |
| 27                         | Coal Mines Act, 1931 .. .. .  | 6              | <b>22 GEO. 5.</b> |  |                |
| 28                         | Finance Act, 1931 .. .. .   | 6              | 1                 | Abnormal Importations (Customs Duties) Act, 1931 .. .. .                 | 13             |
| 29                         | Appropriation Act, 1931 .. .. .   | 6              | 2                 | Expiring Laws Act, 1931 .. .. .  | 13             |
| 30                         | Probation of Offenders (Scotland) Act, 1931 .. .. .                           | 6              | 3                 | Horticultural Products (Emergency Customs Duties) Act, 1931 .. .. .      | 15             |
| 31                         | Marriage (Prohibited Degrees of Relationship) Act, 1931 .. .. .               | 9              | 4                 | Statute of Westminster, 1931 .. .. .                                     | 15             |
|                            |   |                | 5                 | Educational Endowments (Scotland) Act, 1931 .. .. .                      | 16             |
|                            |   |                | 6                 | National Health Insurance (Prolongation of Insurance) Act, 1931 .. .. .  | 16             |
|                            |   |                | 7                 | Indian Pay (Temporary Abatements) Act, 1931 .. .. .                      | 16             |



*Handwritten:* d. P.  
S. 100  
**Vertical text:**  
v  
c  
e  
p  
ct  
s  
t  
a  
sh  
ce